

**Before Maharashtra State Electricity Board's  
Consumer Grievance Redressal Forum,  
Nagpur Urban Zone, Nagpur**

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**Case No. CGRF(NUZ)/017/2005**

- Applicant : Shri Liladhar Dhanraj Irkhede  
At-Post Ridhora,  
Tq. Katol, Dist. Nagpur.
- Non-Applicant : Executive Engineer,  
MSEB, O & M Dn, Katol.
- Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd)  
Chairman,  
Consumer Grievance Redressal  
Forum Nagpur Urban Zone,  
Nagpur.
- 2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 18.05.2005)**

The present application is filed before this Forum in the prescribed schedule "A" on 19.04.2005 as per Regulation No. 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of non-provision of new electricity connection for energisation of his 3 H.P. agricultural pump in the agricultural land at village Ridhora Tahsil Katol, Dist. Nagpur.

The matter was heard by us on 17.05.2005 when both the parties were present. Both of them were heard by us. Documents produced by both the parties are also perused by us.

After receipt of the grievance application, the non-applicant was asked to furnish parawise remarks on the applicant's application in terms of Regulation numbers 6.7 and 6.8 of the said Regulations. The non-applicant, accordingly, submitted to this Forum his parawise remarks on 17.05.2005. A copy of this parawise report was given to the applicant on 17.05.2005 before the case was taken up for hearing and opportunity was given to him to present his case on this parawise report also.

The applicant has contended before us that he had applied to the non-applicant for releasing electricity connection for energisation of agricultural pump in his land situated at village Ridhora, Tq. Katol. He had also given test report in January 1997. However electricity connection for his agricultural pump was not released by the non-applicant although a period of more than seven years has elapsed since the date of submission by him of the test report to the MSEB Official concerned. He had approached the Internal Grievance Redressal Unit of Nagpur Rural Circle in September, 2004 and this Unit headed by the Executive

Engineer (Adm) heard him on 29.10.2004. After the hearing it was committed by all the MSEB Officials that supply of electricity would be made available to the applicant's agricultural pump before 31.03.2005. Accordingly, a letter, being letter dated 29.10.2004, signed by the Executive Engineer (Adm) and Head of the Internal Grievance Redressal Unit was issued to the applicant. The applicant has produced a copy of this letter which is among the case papers.

The applicant has denied to accept the parawise report dated 04.05.2005 submitted by the non-applicant on 17.05.2005. It is the contention of the applicant that the orange trees planted by him in his agricultural land are drying up for want of availability of electricity supply to his agricultural pump.

The applicant lastly requested that supply of electricity for his agricultural pump be commissioned forthwith.

The non-applicant has admitted in the parawise report dated 04.05.2005 submitted to this Forum on 17.05.2005 that the Internal Grievance Redressal Unit had committed that the agricultural pump of the applicant would be energized upto 31.03.2005 and that a letter of commitment to that effect was also issued to the applicant on 29.10.2004. However, electricity connection sought for by the applicant could not be released as promised because of the policy directives of the MSEB here-in-after referred to as the Board contained in the Head Quarter Chief Engineer's

letter number CE(Dist)/RE-I/Ag.Pump/3656 dated 04.02.2005. These directives are issued subsequent to the date viz. 29.10.2004 on which the letter of commitment was issued as aforesaid. The non-applicant has produced a copy of this letter dated 04.02.2005 and also a copy of State Govt's letter, being letter number विपुअ - २००४/ प्र.क. १६८ / ऊर्जा - ३ दि. ११.११.२००४. Relying on the instructions issued in the aforementioned Govt. letter and the Board's communication, the non-applicant contended that the applicant's land falls within the Gray Water Shed area and hence electricity connection to the applicant can not be released. The non-applicant is prepared to return the amount deposited by him with the Board.

We have carefully gone through the entire record of the case, all the documents produced by both the parties as also all the submissions made before us by both of them.

The limited grievance of the applicant is in respect of non-provision of electricity supply to his agricultural pump. There is no dispute that the applicant's grievance is not redressed by the non-applicant even till today. There is also no dispute that a letter of commitment, being letter dated 29.10.2004, was issued by the non-applicant committing therein that the agricultural pump of the applicant would be energized up to 31.03.2005.

The non-applicant is relying on the directives issued by the Government and the Board. The State Government has instructed the Board not to release electricity connections to the agricultural pumps in the lands falling within the Dark Water Shed area. The Board's letter dated 04.02.2005 also stipulates that pending applications for new agricultural connections for Dark Water Shed areas should be returned back to the applicants concerned communicating the Board's inability to sanction and provide the supply of electricity to the agricultural pumps falling within the Dark Water Shed area where the GSDA does not issue certificate / permission. In the instant case, the applicant's land is falling within the Gray Water Shed area and not the Dark Water Shed area. The non-applicant has also admitted before us that village Ridhora from Katol Tahsil is not falling in the Dark Water Shed area. He has also admitted in his parawise report that the applicant's land falls in the Gray Water Shed area and not the Dark Water Shed area. When pointed out to the non-applicant that the directives issued by the Government and the Board prohibit release of electricity connections to the agricultural pumps in the lands falling only in Dark Water Shed area and not the Gray Water Shed area, he admitted that the statement made by him in his para-wise report dated 04.05.2005 to the effect that electricity supply to the applicant's agricultural pump cannot be released due to his land falling within the Gray Water Shed area is not correct. The non-applicant, at this point of time, voluntarily agreed to release electricity

connection to the applicant's agricultural pump on or before 31.05.2005. The applicant thereupon stated that he is prepared to wait till then. He, however, contended that the non-applicant should keep up his assurance because he in dire need of energization of his agricultural pump immediately.

In view of above, we accept the grievance application of the applicant and pass the following order.

The non-applicant shall provide electricity connection to the agricultural pump of the applicant before 31.05.2005 as voluntarily committed by him.

The above order shall be complied with by the non-applicant diligently and compliance reported to this Forum on or before 02.07.2005.

**(Smt. Gauri Chandrayan)**  
**MEMBER**

**(S.D. Jahagirdar)**  
**CHAIRMAN**

**M.S.E.B.'S CONSUMER GRIEVANCE REDRESSAL  
FORUM, NAGPUR URBAN ZONE, NAGPUR.**