

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Zone, Nagpur**

Case No. CGRF(NZ)/150/2016

Applicant : Shri Mahadeo S.Zade
At.Antargaon,Po.Girad
Tq.Samudrapur
Dist.Wardha.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division,MSEDCL, Hinganghat.

Applicant's Representative :- Shri Behare,

Respondent by:- 1) Shri Hedau, Dy.E.E., Samudrapur S/Dn.

Quorum Present : 1) Shri Shivajirao S.Patil
CHAIRMAN
2) Mrs.V.N.Parihar
Member/Secretary
3) Shri N.V.Bansod,
Member

ORDER PASSED ON 14.10.2016.

1. The applicant filed present grievance application before this Forum on 12.09.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Non applicant, denied applicant's case by filing reply dated 13.10.2016.

3. On the date of hearing Nodal Officer Shri H.P.Pawade, Executive Engineer, Hinganghat was absent. It is true that he had given authority letter to Mr.V.M.Hedau, Dy.Executive Engineer, Samudrapur to attend the hearing of this

Forum but in that authority letter reason for absent of Nodal Officer is not mentioned. It is not mentioned as to why Nodal Officer was absent and whether he is busy in any other work, equally important work. On the last date of hearing i.e. on 29-09-2016 also Nodal Officer was absent. Therefore it is appears that Nodal Officer Shri H.P.Pawade, Executive Engineer is not present before this forum without any sufficient cause and its amount to negligence. It is duty of Nodal Officer to attend the hearing before this forum and to protect valuable legal rights of MSEDCL. Nodal Officer is directed that he shall remain present before this forum in future in other cases without fail and shall not avoid duty merely by issuing authority letter.

4. Forum heard argument of representative of applicant Mr.Behare and argument of MSEDCL by Shri Hedau, Dy.Executive Engineer, Samudrapur.

5. Forum heard arguments of both the sides and perused record.

6. Applicant applied for agricultural connection on 04-07-2013 and demand is issued on 20-05-2014. Therefore there is delay in issuing demand for the period 21-07-2013 to 19-05-2014. However this delay period is barred by limitation. Present application is filed on 12-09-2016. It is not within 2 years from the date of cause of action dated 19-05-2014. Therefore according to Regulation 6.6 of the said Regulation delay for issuance of demand is barred by limitation. Therefore no compensation can be granted on this ground.

7. Applicant paid amount of demand on 13-06-2014 and test report is given on 12-07-2014 but up till now connection is not released. Dy.Executive Engineer, Samudrapur argued that it was necessary to install of 63 KVA Transformer and HT line .06 km and LT line .12 km was required and therefore period for release of connection is one year. However we do not agree with this argument.

For compliance of 63 KVA Transformer it is not amounting to commissioning of new Sub-station forming a part of the distribution system and therefore period for release of supply is not one year but it is only 90 days according to MERC's SOP Regulation. Therefore there is delay in issuing connection for the period 11-10-2014 till date of connection.

8. According to MSEDCL there is seniority list but this seniority list is not approved by MERC and it is contrary to SOP Regulation. Therefore it is not legal & proper. Therefore applicant is entitled for release of agricultural connection.

9. Hence the following order.

ORDER

1. Grievance application is partly allowed.
2. Delay for issuing demand is barred by limitation therefore Claim for compensation on this ground is rejected.
3. Non-applicant is directed to release the agricultural connection to the applicant within 30 days from the date of this order.
4. Non-applicant is directed to pay compensation for delay in releasing the connection to the applicant since 11-10-2014 to till release of connection.
5. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-
(N.V.Bansod)
MEMBER

sd/-
(Mrs.V.N.Parihar)
MEMBER/SECRETARY

sd/-
(Shivajirao S. Patil),
CHAIRMAN

