

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

Case No. CGRF(NZ)/94/2018

Applicant : Shri Arun Ganesh Sonkusale,
Village – Sumthana, Tahsil - Hingna,
District Nagpur.
C/o Khare Town, Dharampeth,
Nagpur-440010.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division, M.S.E.D.C.L.,
Butibori.

Applicant represented by : In person.

Non-applicant represented by : 1) Shri D.U.Ghatole, Exe.Engr,
MSEDCL, Butibori
2) Shri Kapse, JE, Hingna D/C

Quorum Present : 1) Shri Arvind Jayram Rohee,
Chairperson.
2) Mrs. V.N.Parihar,
Member Secretary
3) Mrs. Asmita Avinash Prabhune,
Member (CPO)

ORDER PASSED ON 21.09.2018

1. The applicant having consumer No.410730260389 for agricultural use in his field property located at Mouza Sumthana approached this Forum, under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievances Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as, said Regulations)

for redressal of his grievance seeking restoration of electric connection by repairing overhead line & compensation for loss due to disconnection of supply.

2. It is stated that in the month of July,2011 for carrying out development activities for ensuring MIHAN Project, the overhead wire giving electric supply to the field of applicant was disconnected due to breakdown of overhead lines. He, therefore, approached the department for doing the needful towards restoration of electric supply and also claims compensation under clause 12 of Maharashtra Electricity Regulatory Commission (Standards of Performance Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014 for failing to restore electric supply by installing/repairing overhead lines.

3. Since grievance is not resolved by the department, the applicant approached Internal Grievance Redressal Cell. Non applicant's contention was that, on receiving oral complaint the concerned Jr.Engineer, Gumgaon D/C visited the spot and found on inspection that the consumer failed to pay the energy bills since 04.03.2010, on account of which the connection is permanently disconnected. The applicant again applied for restoration of supply. Hence the permanent disconnection bill was revised. Thereafter on 19.02.2018 the applicant applied for

new Agricultural pump connection in his name (Since the previous connection was in the name of his father who died in 2005). To process the applicant's request, estimate for installation of new line was prepared and submitted to Higher Authority on 27.02.2018 which was sanctioned and further work is in progress.

4. Considering the above factual position the IGRC declined to grant relief of restoration of supply in the name of deceased consumer and compensation, which order is challenged before this Forum.

5. In the reply dt. 31.08.2018 the non applicant reiterated the factual position brought to the notice of IGRC as stated above.

6. On 05.09.2018, we have heard applicant who represented himself and Shri D.U.Ghatole, Executive Engineer, Butibori Division assisted by Area Incharge Jr. Engineer Shri R.U. Kapse. We have carefully perused the entire case record.

7. The only question arose for our consideration is whether the applicant entitled to the reliefs sought and order passed by IGRC is liable to be interfered with.

8. It is obvious from record that due to development activities of MIHAN Project the overhead wires/lines passing through or near the field property of applicant was dislocated resulting in disruption of electricity supply. It appears that applicant lodged grievance in his behalf with the J.E., Gumgaon on 20.07.2011.

Photocopy of said application is on record at document No.2 bearing endorsement to submit the last paid electric bill to process his request. It appears that applicant did not submit the bill nor pursued the matter till he lodged second complaint dt. 09.12.2017 and finally on 18.12.2017. Those were attended but on local inspection it was noticed that due to nonpayment of energy bills the supply was already disconnected from 04.03.2010. The applicant suppressed this material fact. The breakdown of overhead wires due to development activities of MIHAN Project is subsequent event which occurred in July-2011. This being so, applicant is not justified in seeking restoration of electric supply, which was already disconnected for failing to pay electricity bills.

9. In spite of above factual position, on the request made for new connection the revised P.D. bill was issued to applicant since it was a charge on the premises where the electric supply was previously given and applicant being legal heir of previous consumer. The applicant will have to comply with necessary formalities for getting new connection, if he desires to get new connection.

10. From the above discussion it is observed that there is no question of restoration of electric supply in name of previous consumer (Applicant's father who is now deceased) and for failing

to pay the electricity bills from 04.03.2010 onwards. For this reason also the applicant is not justified in seeking any compensation from non applicant.

11. Although the applicant is not entitled to any relief, it may be mentioned here that the responsible authorities of MIHAN Project should have taken due care while undertaking its development activities and to ensure that electric overhead lines are not damaged and if damaged it should have been restored at its expenses. There is nothing on record to show that the department has taken any steps by raising protest with MIHAN Authorities with a request to make good the loss. In any event the ultimate sufferer is the consumer of the premises from where the electricity supply was disconnected due to breakdown of overhead wires/lines. There may be many agricultural consumers in the region who are affected by the development activities of MIHAN Project and they may have approached the department earlier for restoration of supply. However, so far as the applicant is concerned it is obvious that the electricity supply was already disconnected much before carrying out the development activities by MIHAN and since the applicant did not persuade the request made and further the fact that he must have been aware of disconnection of electricity supply, he is not entitled to the reliefs sought namely restoration of electricity supply in the name of the diseased consumer or compensation for delay on the part of the

non applicant in processing request. However as stated earlier the applicant may complete the necessary formalities as per rule for getting the new electricity connection in his name in the same agricultural property, if he so desire.

12. In the result we do not find any substance in the present grievance application. The same is accordingly dismissed, however without there being any order as to payment of cost

Sd/-	Sd/-	Sd/-
(Mrs.A.A. Prabhune)	(Mrs.V.N.Parihar)	(Arvind J. Rohee)
MEMBER (CPO)	MEMBER SECRETARY	CHAIRPERSON