

**CONSUMER GRIEVANCE REDRESSAL FORUM,**  
**AKOLA ZONE, AKOLA.**

*“Vidyut Bhavan” Ratanlal Plot ,Akola. Tel No 0724.2434475*

**O R D E R**

**Dt:- 29.03.2019**

**Complaint No :- 05/2019 Dated 31.01.2019 and 06/2019 Dated**  
**31.01.2019**

**In the matter of grievance pertaining to new agriculture**  
**connection and SOP Compensation.**

**Quorum**

**Dr.V.N.Bapat- Chairman**

**Shri.D.M.Deshpande, Member (CPO)**

**Shri. R.A.Ramteke, Member – Secretary**

**Complaint No. 05/2019**

1. Shri Vitthal Manaji Dabre :- Complainant  
Applicant for new Ag connection at  
S. No. 393 at Warwat Bakal.  
Tq. Sangrampur Dist. Buldana.  
% Shri V. M. Dabre, Shrikrupa Hospital  
Near Mohan bhaji bhandar tapdiya  
nagar Akola-444005.

**Complaint No. 06/2019**

Shri Balkrishna Parasram Tade  
New Ag. at S. No. 370/371 at Eklara  
Banoda Tq. Sangrampur Dist Buldana.  
Pin code 444204.

**.....Vrs.....**

Executive Engineer, :- Respondent  
MSEDCL, O&M  
Khamgaon Division

**Appearances**

1. Dipak Balkrushna Tade - Representative for Complainant
2. Shri S. B. Navalkar - Dy. Executive Engineer,  
Khamgaon Division, MSEDCL,

1) By this common order Forum resolved the grievance filed in complaint no. 05 and 06 of new Ag connection of common nature.

2) On being aggrieved by the decision of IGRC Buldana issued vide IGRC/BLD/3939 dated 17.12.2018 the complainant Shri Vitthal Manaji Dabre from Warwat Bakal and Shri Balkrushna Parasram Tade from Eklara aggrieved by the fact of not providing any remedy by IGRC Buldana have approached this Forum under section 6.4 of MERC (CGRF and OMBUDSMAN) Regulation 2006 for resolving the grievance.

3) Complainants case in brief is that complainants Shri. Vitthal Manaji Dabre and Shri Balkrushna Parasram Tade applied for getting agriculture connection at S. No. 393 of Warwat Bakal and at Survey No. 370/371 of Eklara respectively on dated 22.09.2018 which is acknowledged by N.A .M.S.E.D.C.L on 22.09.2018. According to complainants even after 80 days of receipt of application by N.A .M.S.E.D.C.L, the firm quotation for payment of necessary charges has not been issued by N.A .M.S.E.D.C.L. According to complainants N.A .M.S.E.D.C.L is bound by MERC SOP Regulation 2014 to give quotations within 20 days and release connections within one month and thus violated SOP regulation 2014. According to complainants claim for SOP Compensation is registered with IGRC Buldana on 11.12.2018. Both the complainants pray for immediate issue of quotations and release of Ag connection within one month with compensation for delay in issuing firm quotations and cost of Rs. 2000/- each. Complainants annexed copies of A1 application with documents, IGRC complaint with documents and N.A .M.S.E.D.C.L letter with the complaint no. 05 and 06 dated 31.01.2019.

4) Reply came to filed belatedly by N.A. M.S.E.D.C.L on 05.03.2019 and 02.03.2019 for complaint no. 05 and 06 respectively. According to N.A. M.S.E.D.C.L complainant in complaint no. 05 have submitted incomplete application for new connection on 18.09.2018. Despite correspondence vide letter no. 1685 dated 24.09.2018 the necessary documents are not submitted to MSEDCL at Warwat Bakal or to SDO Sangrampur and hence new Ag connection is not sanctioned. According to N.A. M.S.E.D.C.L as per instruction of corporate office demand note for payment of charges for new Ag connection will

only be issued through online system of MSEDCL and issue of demand note through system is temporarily suspended. According to N.A. M.S.E.D.C.L new Ag connections are to be released on solar system as per Government of Maharashtra decision dated 15.11.2018 and 01.01.2019 notified by corporate office by letter CE/Dist/2472 dated 24.01.2019. According to N.A. M.S.E.D.C.L complainant in complaint no. 06 has applied for Ag connection on 18.09.2018 with complete documents but quotation/demand note could not be issued in view of corporate office directions for releasing connection on solar system. According to N.A. M.S.E.D.C.L both the complainants have not claimed SOP Compensation within time limit specified in SOP Regulation 2014 and hence not entitled for SOP Compensation. No documents are annexed with the reply by N.A.M.S.E.D.C.L.

5) Shri. Dipak Balkrishna Tade learned representative for complainant no. 5 and 6 and Shri. S. B. Navalkar, Dy. Executive Engineer Sangrampur for N.A. M.S.E.D.C.L were present for the hearing held on 13.03.2019. Shri. Dipak Balkrishna Tade learned representative for complainants referred section 43 of E.A. 2003 and Regulation 4.4 and 4.8 of SOP Regulation 2014 and urged Forum that N.A. M.S.E.D.C.L have violated the provisions of E.A. act 2003 and SOP Regulation 2014 as existing network of N.A. M.S.E.D.C.L is available within the distance of 100 feet/30 mtr from the water resource in case of both the complainants for releasing Ag connection and prays for immediate issue of demand note, release of connection and SOP Compensation.

6) Shri. S. B. Navalkar, Dy. Executive Engineer, MSEDCL, Sangrampur Urged that as per decision of corporate office new connection for Ag are to be released on 'Solar system' only for which demand note will be issued through online system and at present demand notes are not generated through online portal. Shri S. B. Navalkar further brought on record that at present Ag connections are being released for those applicants who have paid the charges before 31.03.2018. Shri. S. B. Navalkar, Dy. Executive Engineer further brought on record through oral submission that in case of complaint no. 06 one Ag connection is already existing in same survey number and as per rule second connection for the same purpose cannot be released.

7) Forum directed authorised representative of the N.A. M.S.E.D.C.L to file on record written note of his oral submission made before the Forum along with documents in support of his defence which were not the part of his written replies to IGRC or Forum..

8) N.A. M.S.E.D.C.L in response to the directives of Forum submitted written submission and did not file any documents on law point supporting their oral submission and further brought on record through written submission that facility of 'Solar system' will not be extended to complainant no. 06 as one connection already existed in the same agriculture field in the name of complainant.

9) Having heard the parties and considering material placed on record Forum is of the view that N.A. M.S.E.D.C.L is taking contradictory defence before IGRC and CGRF in case of complaint no 05 as in written reply before CGRF dated 05.03.2019 N.A. M.S.E.D.C.L quoted the reason of non-submission of documents alongwith application for not sanctioning new Ag connection while in IGRC order dated 17.12.2018 it is held that required discrepancies intimated by N.A. M.S.E.D.C.L vide their letter dated 22.09.2018 have been complied by complainant on 18.10.2018 and completed application for new Ag connection deemed to have been received to N.A. M.S.E.D.C.L on 18.10.2018. Forum is of the view that defence taken by N.A. M.S.E.D.C.L that new Ag connection after those who have paid the charges up to 31.03.2018 will be issued on solar system is not tenable as N.A. M.S.E.D.C.L did not file on record Government of Maharashtra notification dated 15.11.2018 or 01.01.2019 as quoted in their written reply before Forum or brought on record referred circular issued by their corporate office. Forum is of the view that the details of the 'solar scheme' whether off-grid or on-grid have not been brought on record to verify whether it can be alternative for obligation of licensee to fulfil its universal obligation to supply electricity on demand as per section 43 of E.A. 2003. It is brought on record during deposition of representative of N.A. M.S.E.D.C.L, on being asked by Forum that existing network at both places for complaint no. 05 at Warwat Bakal and for complaint no. 06 at Eklara Banoda is capable of catering new connection load without the necessity of extension of distribution mains or commissioning of new transformer or substation as within 30 mtr from available source. Forum is of the view that denial of Ag

connection to complainant no. 05 from existing network is violation of section 43 of E.A. 2003 and also violation of supply code regulation 2005 read with SOP Regulation 2014. Forum is of the view that N.A. M.S.E.D.C.L delayed the issue of demand note beyond 20 days of receipt of new connection application and reason put forth by N.A. M.S.E.D.C.L about failure of online portal for drawal of demand note is not justified and convincing and hence liable to pay SOP Compensation at Rs. 100/- per week till demand note is issued to complainant no. 05. Forum is of the view that N.A. M.S.E.D.C.L be directed to issue demand note for payment of necessary charges as per MERC tariff order to the complainant no. 05 immediately but within 15 days of this order and directed to release connection thereafter as per SOP Regulations-2014. SOP is claimed by complainant no. 05 on 11.12.2018 before IGRC Buldana.

As regards the grievance for new Ag connection to complainant Shri Balkrushna parasram Tade at S No. 370/371 at Eklara Banoda, Forum finds considerable substance in the plea of N.A. M.S.E.D.C.L that MSEDCL shall not permit two or more connections in the same name at same premises [Source of water] for same purpose as there is provision in supply code regulation 2005 for load extension. Forum is of the view that complainant can avail the provisions of supply code regulation 2005 for extension of load if any and the grievance of new Ag connection is liable for dismissal. The complainant no. 06 Shri. Balkrushna parasram Tade is also not entitled for SOP Compensation. Forum is of the view that N.A. M.S.E.D.C.L as agreed during the course of argument should consider the fresh application for load extension as per SOP Regulation 2014 read with supply code regulation 2005.

With these observations, Forum proceeds to pass following unanimous order.

## ORDER

1. That the Complaint No. 05/2019 Dated 31.01.2019 is hereby partly allowed.
2. That the N.A. M.S.E.D.C.L is directed to issue firm quotation/demand note towards payment of charges for new Ag connection to complainant no. 05, within 15 days of this order.
3. That the N.A. M.S.E.D.C.L is directed to compensate complainant no. 05 Shri V. M. Dabre with SOP Compensation at Rs. 100/- per week from 18.10.2018 till issue of demand note for delay in issuing demand note by cheque.
4. That N.A. M.S.E.D.C.L is directed to release new Ag connection to complainant no. 05 at Warwat Bakal as per SOP Regulations-2014.
5. That the Complaint No. 06/2019 Dated 31.01.2019 is disallowed.
6. That parties to bear their own cost.
7. That N.A. M.S.E.D.C.L is directed to submit compliance report to this Forum within one month of this order.

S/d/-  
Member Secretary

S/d/-  
Member (CPO)

S/d/-  
Chairman

Contact details of Electricity Ombudsman appointed by  
MERC (CGRF&EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,  
Office of Electricity Ombudsman (Nagpur)  
Plot No.12, Shrikrupa, Vijaynagar,  
Chhaoni,Nagpur-440 013.Phone:- 0712-2596670.

No. CGRF/AKZ/Akola/70

Dt:- 29.03.2019

To,  
The Nodal Officer  
Executive Engineer,  
MSEDCL, O&M  
Khamgaon Division.

The order passed on **29.03.2019** in the Complaint No. **05/2019** and **06/2019** is enclosed herewith for further compliance and necessary action.

Secretary,  
Consumer Grievance Redressal Forum,  
MSEDCL, Akola Zone, Akola.

**Copy s.w.r. to:-**

- 1) Chief Engineer, MSEDCL, Akola Zone, Akola.
- 2) Superintending Engineer MSEDCL, O&M Circle, Buldana.

**Copy to :-**

- 1) Shri Vitthal Manaji Dabre, Shrikrupa Hospital Near Mohan bhaji bhandar tapdiya nagar Akola-444005.
- 2) Shri Balkrishna Parasram Tade, at Eklara Banoda Tq. Sangrampur Dist. Buldana Pin code 444204.