

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

Case No. CGRF(NZ)/03/2019

Applicant : Smt. Kalinda D. Kamble,
Mukam –Kanchangaon,
Post. Arvi (Chooti)
Taluka-Hinganghat, Dist. Wardha.

V/s

Non-applicant : Nodal Officer,
The Executive Engineer,
Hinganghat Dn.,
MSEDCL., Hinganghat

Applicant represented by : Shri B.V. Betal.
Non-applicant represented by: 1) Shri H.P. Pawade,
Executive Engineer

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 30.03.2019

1) The applicant through her authorized representative Shri B.V. Betal approached this Forum under clause 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman)

Regulations 2006, since aggrieved by the order dated 30.10.2018 passed by Internal Grievance Redressal Cell (IGRC), MSEDCL, Wardha Division for rejecting her claim for release of new electric connection on her field for agricultural purpose and grant of compensation for delay in releasing the electric connection.

2) The applicant applied for grant of electric connection on her field property for Agricultural purpose on 19.03.2018. The Demand Note was issued to her on 26.03.2018 and Test report was then submitted by her on 04.04.2018. However, since the connection was not released, she approached IGRC, MSEDCL Wardha on 30.10.2018 for necessary relief. Her claim was rejected mainly on the ground that she approached IGRC for claiming compensation beyond the statutory period of 60 days. However, direction was issued to release the electric connection to her as per seniority list.

3) The applicant submitted that the claim for compensation is within limitation and new electric connection should be granted to her on priority basis.

4) The Non-applicant by a reply dated 12.02.2019 supported the order of IGRC and claim for compensation is denied, since release of adequate funds from Government for installation of new electric connection for Agricultural purposes is beyond its control.

5) On 27.03.2019 we have heard the applicant's representative and the reply argument of Shri H.P.Pawade, Executive Engineer, Hinganghat Division. We have carefully perused the case record.

6) It is obvious that the application was submitted on 31.03.2018 and Test report by the applicant on 04.04.2018. As per rules the electric connection should have been granted within 3 months there from for agricultural purpose. Obviously it was not released so far on the ground of want of adequate funds to be allotted by the Government and since applicant is placed on seniority list, and her turn is yet to come for the year 2018-19. Thus cause of action to approach IGRC arose on 04.07.2018 (on completion of 90 days from 04.04.2018) and then limitation of 60 days was available there from i.e.till 03.09.2018 to approach IGRC. Obviously the applicant approached IGRC on 30.08.2018 i.e. well within time. Hence the rejection of claim for compensation by IGRC as barred by limitation is incorrect. The applicant is therefore, entitled for compensation as per MERC Standard Of Performance (SOP) Regulations 2014 and notifications/circulars there under from 04.07.2018 till new connection is granted to her. However, this can be considered only after grant of electric connection.

7) In order to regularize and monitor installation of new electric connection/ meter for agricultural purpose, seniority list is prepared by the Non- applicant. We do not find any force in the contention of the applicant that preparation of seniority list is illegal or unwarranted for want of any provision in the Act, Rules, Notifications or Circulars.

8) In the result, the application is partly allowed. The Non applicant shall grant the new electric connection to the applicant for agricultural purpose as and when her turn comes as per seniority list maintained by the Non applicant and on such installation the compensation for delay in granting the new electric connection be considered as per rules, as expeditiously as possible.

9) No order as to costs.

Sd/-

(Mrs. Asmita A. Prabhune)
MEMBER(CPO)

Sd/-

(Mrs. V.N.Parihar)
MEMBER SECRETARY

Sd/-

(Arvind J. Rohee)
CHAIRPERSON