

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

Case No. CGRF(NZ)/24/2019

Applicant : Shri Ramchandra Shridhar Nawhate,
Wani, Taluka- Hinganghat.
Dist. Wardha.

V/s

Non-applicant : Nodal Officer,
The Executive Engineer,
Hingaghat Dn. M.S.E.D.C.L.,
Hinganghat, District Wardha.

Applicant represented by : Shri Kawadeshwar Bobade.
Non-applicant represented by: 1) Shri H.P. Pawade, Exe.Engr.,
MSEDCL, Hinganghat

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 23.04.2019

1) The applicant 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 01.10.2018 passed by Internal Grievances Redressal Cell (IGRC), SNDL, Nagpur, rejecting claim for compensation from the Non-applicant for delay in giving new electric connection for his agricultural pump.

2) The applicant who is agriculturist, applied for getting electric connection on the well located in his field. On issuance of Demand Note dated 10.02.2016 applicant deposited the requisite amount on 19.01.2017 and thereafter submitted Test Report on 28.04.2017. However, his claim is rejected as barred by limitation, as per the provision of MERC SOP Regulations 2014, since he approached IGRC beyond period of 60 days from the date of accrual of cause of action. The said order of rejection dated 23.01.2019, is challenged in this Grievance Application.

3) Non-applicant on notice filed a reply dated 20.04.2019, and denied the claim. The matter was called on for final hearing. The applicant's representative Shri Kawadeshwar Bobade appeared and Non-applicant is represented by Shri H.P. Pawade, Executive Engineer, Hinganghat Division.

4) The Non-applicant denied his liability to pay the compensation although admitted that electric connection could not be given, since it was necessary to erect H.T. cable for a distance over 0.66 Kms. Once it is erected electric connection will be given to the applicant.

5) Forum heard oral submissions of both the parties and carefully perused the case record and the relevant provisions of Regulations.

6) During the course of hearing it is stated that applicant submitted application dated 11.03.2019 for getting solar connection in the field, since the electric connection under conventional system could not be issued to him. Although his application gives rise to separate cause of action, his request is considered, since admittedly claim for compensation for not providing electric connection as per conventional system is barred by limitation, for failing to approach IGRC within a period of 60 days from accrual cause of action i.e. 28.06.2017, when infact he approached there on 28.11.2018 as stated in order of IGRC.

7) During the course of hearing it is submitted on behalf of the Non-applicant, that for electric connection as per conventional mode the applicant has deposited Rs.6000/- and for solar connection Demand Note is yet to be issued. For delay in issuing Demand Note the Non-applicant may be held liable to pay compensation as per rules. He further stated that so far 50,000 solar connections in the entire state of Maharashtra are sanctioned by the State Government and now for sanction of further 50,000 solar connection making it 1,00,000 (One Lakh) the proposal is pending for consideration with the Govt. It is also stated that Demand Note is generated by digital system and not manually. Hence some time will be required to process the applicant's request for grant of solar connection.

8) (a) Considering above factual position grievance application is dismissed as barred by limitation for grant of compensation for delay in giving electric supply under conventional mode.

(b) However, the Non-applicant is directed to take prompt, effective and appropriate steps to process the application dated 11.03.2019 for grant of solar connection in his field as per rules and the amount already deposited by the applicant on 19.01.2017 in pursuance of Demand Note dated 10.02.2016 for grant of connection by conventional mode shall be adjusted while issuing Demand Note for solar connection.

(c) It is also directed that the claim for compensation for delay in granting solar connection is kept alive and the applicant may file separate proceeding before the Competent Authority for the said relief, if he so desires after grant of solar connection.

(d) It is also directed that once Demand Note is issued and payment is made by the applicant, his application for grant of solar connection shall be processed on priority basis over and above the pending applications filed prior to 11.03.2019.

(e) No order as to costs.

Sd/-
(Mrs. Asmita A. Prabhune)
MEMBER(CPO)

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

Sd/-
(Arvind J. Rohee)
CHAIRPERSON