

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

Case No. CGRF(NZ)/36/2019

Applicant : Shri Pandurang N. Kumbhalkar
At.Sirasgaon, Taluka Hinganghat,
Dist. Wardha

V/s

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

Applicant represented by : Shri B.V. Betal.
Non-applicant represented by: 1) Shri Bawankar, Dy.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 31.05.2019

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 his claim for compensation for delay in releasing new electric connection of 5 HP for Agricultural Pump is rejected firstly by the Commercial Manager and then by IGRC by order dated 08.03.2019.

2) The applicant submitted application for release of new electric connection for Agricultural Pump by conventional mode on 27.02.2017. Demand Note was issued on 10.04.2017. The applicant deposited the requisite amount as per Demand Note on 15.05.2017 and on the same day Test Report is also submitted. It is stated that new electric connection is however, not released so far. He, therefore, approached IGRC on 10.01.2019 for necessary Redressal. His claim for compensation is rejected as barred by limitation by virtue of provisions of clause 12.2 of MERC Regulations 2014. However, a direction is issued to give necessary instructions to the applicant to apply for new connection under Chief Minister's Solar Agricultural Pump Scheme and various circulars issued by MSEDCL from time to time in this behalf.

3) The aforesaid order of IGRC is challenged before this forum on the same grounds raised before IGRC.

4) On notice the Non-applicant denied the claim vide reply dated 13.02.2019 and supported the order passed by IGRC. It is also stated that cause of action to approach IGRC arose on 27.07.2017 i.e. within 3 months, when connection is not granted and limitation of 60 days there from was available to approach IGRC. However, the applicant approached IGRC on 10.01.2019 and hence a claim for compensation of Rs.25,000/- for delay and causing mental & physical harassment, Rs.3000/- towards travelling expenses & Rs.2000/- for court proceedings, is rightly rejected.

5) On 14.05.2019 when the matter was called out for final hearing heard Shri B.V. Betal the authorized representative of the applicant and the reply arguments of Shri Bawankar, Dy.Executive Engineer, Hinganghat Division. We have carefully perused the case record.

6) It is obvious from record that as per the instructions issued by State Government, the consumers who made payment of Demand Note after 31.03.2018, they should be granted solar connection. It is also provided that those consumers who made payment of Demand Note before the cut-off date 31.03.2018 (as in the present case), since applicant made payment of Demand Note on 15.05.2017, those will be governed by High Voltage Distribution System (HVDS) scheme. However, there is one exception to it, for those consumers who requested H.T. cable (11KV for distance of 600 mtrs). such consumers alone are covered under the scheme. Since the applicant requires H.T. cable for a distance of 0.78 Km i.e. more than 600 mtrs. he will be governed by the Chief Minister's Solar Energy Scheme.

7) From the above discussion, it is obvious that claim for compensation and claim for providing new electric connection for agricultural pump by conventional mode cannot be considered. As stated earlier appropriate directions are already issued by IGRC in this behalf.

8) On interrogation it is stated by the Non-applicant, that the applicant is not informed to submit application under Chief Minister's Solar Agricultural Pump Scheme. As such in order to save further time to process the request, the applicant is directed to submit the application as per the aforesaid scheme to the Non-applicant within Two weeks from today and it shall then be processed in accordance with the rules.

9) It is further directed that the application is pending since February 2017, hence the solar connection be released to the applicant on priority basis, only after completing the necessary formalities by him.

10) No order as to costs.

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

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

Sd/-
(Arvind J. Rohee)
CHAIRPERSON