

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

Case No. CGRF(NZ)/40/2019

Applicant : Smt.Sangeeta Ganpatrao Gujarkar,
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 of 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 vide order dated 25.02.2019.

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 20.04.2017 and Test Report is also submitted on the same day. It is stated that new electric connection, is however, not release, he, approached IGRC on 28.12.2018 for necessary redress. His claim for compensation is rejected as barred by limitation by virtue of the provisions of clause 12.2 of MERC Regulations 2014. However, a direction is issued to the Non-applicant 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) It is stated that applicant's name is included in the seniority list of 2017-18, It is denied that delay occurred for want of release of funds from Government to erect HT cable wire. The IGRC order dated 25.02.2019 rejecting the claim for compensation as barred by limitation is also disputed. It is stated that to grant new electric connection for agricultural pump although his name is included in seniority list of 2017-18, electric connection should be released within one month from the date of order on priority basis by conventional mode.

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

5) On notice the Non-applicant denied the claim vide reply dated 09.05.2019 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 therefrom. However, the applicant approached IGRC on 28.12.2018 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.

6) On 14.05.2019 when the matter is 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.

7) 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 20.04.2017, they will be governed under High Voltage Distribution System (HVDS) Scheme. However, there is one exception to it, for those consumers who required H.T. cable (11KV)

for a distance of less than 600 mtrs. such consumers alone are covered under aforesaid HVDS Scheme. Since the applicant requires H.T. cable for a distance of 0.03 Km i.e. less than 600 mtrs. he will be governed by the HVDS Scheme and not by the Chief Minister's Solar Energy Scheme.

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

8) The Grievance Application is therefore dismissed. Since the application is pending from February 2017, hence the new connection be released to the applicant on priority basis, and preferably within a period of One month from the date of this order.

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