

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

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**Case No. CGRF(NZ)/42/2019**

Applicant : Shri Moreshwar G. Pohane  
At.Sirasgaon, Taluka Hinganghat,  
Dist. Wardha

V/s

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

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Applicant represented by : Shri B.V. Betal.  
Non-applicant represented by: 1) Shri Bawankar, Dy.Exe.Engr.,  
MSEDCL, Hinganghat.

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Quorum Present : 1) Shri Arvind Jayram Rohee,  
Chairperson.  
2) Mrs. V.N.Parihar,  
Member Secretary  
3) Mrs. Asmita Avinash Prabhune,  
Member(CPO)

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**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 videorder dated 25.02.2019.

2) The applicant submitted application for release of new electric connection for Agricultural Pump by conventional mode on 15.03.2016. 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 submitted on the same day. It is stated that since new electric connection is not released, the applicant 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 give necessary instructions to the applicant to apply for new connection under Chief Minister's Solar Agricultural Pump Scheme in the event new connection is not released immediately under High Voltage Distribution System (HVDS) Scheme.

3) It is stated that applicant's name is included in the seniority list of 2017-18. However, for delay, the IGRC order dated 25.02.2019 rejecting the claim for compensation as barred by limitation is wrong and new electric connection for agricultural pump should be released within One month from the date of order on priority basis by conventional mode.

4) The aforesaid 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 08.05.2019 and supported the order passed by IGRC. It is also stated that cause of action to approach IGRC arose on 19.07.2017 i.e. within 3 months, when connection is not granted and 60 days there from. However, the approached IGRC on 28.12.2018 and hence 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 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.

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), those will be governed by High Voltage Distribution System (HVDS) scheme. However, there is one exception to it, for those consumers who require H.T. cable (11KV)

for a distance of less than 600 mtrs. such consumers alone are covered under the aforesaid HVDS scheme. Since the applicant requires H.T. cable for a distance of 0.02 Km i.e. less than 600 mtrs. he will be governed by HVDS Scheme and not under 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 limitation. However, as stated earlier, appropriate directions are already issued by IGRC.

8) The Grievance Application is rejected. However, it is directed that since the application is pending from February 2017, the new connection be released to the applicant on priority basis, under HVDS Scheme, preferably within a period of One month from the date of this order.

9) No order as to costs.

Sd/-	Sd/-	Sd/-
<b>(Mrs. Asmita A. Prabhune)</b>	<b>(Mrs. V.N.Parihar)</b>	<b>(Arvind J. Rohee)</b>
<b>MEMBER(CPO)</b>	<b>MEMBER SECRETARY</b>	<b>CHAIRPERSON</b>