

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub : In the matter of seeking relaxation in the provision of MP Electricity Supply Code regarding “water availability certificate” for availing electricity supply for agricultural / irrigation pump sets.

Petition No. 90/2012

ORDER

(Date of hearing 5th January, 2013)

(Date of order 7th January, 2013)

M.P.Poorv Kshetra Vidyut Vitaran Co. Ltd.,
Shakti Bhawan, Rampur, Jabalpur – 482008.
(East Discom)

M.P.Madhya Kshetra Vidyut Vitaran Co. Ltd.,
Nishtha Parisar, Govindpura, Bhopal – 462023.
(Central Discom)

M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd.,
GPH Compound, Pologround, Indore – 452015.
(West Discom)

- Petitioners

Shri S.K. Okhade, EE (Comml.) appeared on behalf of East Discom.

Shri A.R.Verma, GM appeared on behalf of Central Discom.

Shri Anant Chaure, Law Officer appeared on behalf of West Discom.

2. The petitioners, MP Poorv Kshetra Vidyut Vitaran Co. Ltd., MP Madhya Kshetra Vidyut Vitaran Co. Ltd. and MP Paschim Kshetra Vidyut Vitaran Co. Ltd. have jointly filed this petition for review of Regulation 4.15 (a) of the MP Electricity Supply Code, 2004 for seeking relaxation in the provision regarding “water availability certificate from competent government authority” in respect of requisition of supply for agricultural / irrigation pump sets.

3. **Facts of the case:**

(a) Clause 4.15 of chapter 4 of the MP Electricity Supply Code, 2004 lays down the conditions regarding submission of additional specific documents alongwith general documents for certain categories of consumers.

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- (b) In case of supply for agriculture / irrigation pump set, the ‘khata nakal’ giving the ‘khasara’ number of the field within which the supply is to be availed and water availability certificate from competent government authority are required to be submitted.
- (c) The petitioners have submitted that:
- (i) The condition of obtaining water availability certificate from the prospective agricultural consumers was suitable when the infrastructure for agricultural connections used to be developed by the erstwhile Electricity Board at its own expense. Presently, such infrastructure is being developed on receipt of subsidy from State Government and on receipt of consumer’s contribution. A consumer contributing towards cost of infrastructure for his pump connection will not come forward without actual availability of water. As such, requirement of water availability certificate in the present scenario is not required.
- (ii) Suggestions were received to withdraw aforesaid mandatory condition of obtaining water availability certificate due to the difficulties being faced by the consumers in timely procurement of such certificates.
- (d) In light of the above submissions, the petitioners have requested that requirement of water availability certificate alongwith application for new agricultural connections may be made an optional condition and they may be permitted to sanction and release new service connections for agricultural pump sets on production of duly notarized self-affidavit of applicants regarding water availability in their land.

4. The case was listed for motion hearing on 05.01.2013.

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5. During the motion hearing on 05.01.2013, the petitioners reiterated the contents of the petition.

6. On hearing the petitioners and considering the written submissions, the Commission directed that necessary amendment in the MP Electricity Supply Code, 2004 be initiated as per the procedure laid down.

7. With this direction, the petition no. 90 of 2012 stands disposed of.

Ordered accordingly,

sd/-

(Alok Gupta)
Member (G)

sd/-

(A.B.Bajpai)
Member (B)

sd/-

(Rakesh Sahni)
Chairman