



# Madhya Pradesh Electricity Regulatory Commission

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## Petition no. 101/04

IN THE MATTER OF PAYMENT OF DUES OF GVSSM, SIDHI FROM STATE GOVERNMENT RS.1126.05 LAKHS OR ADJUSTMENT OF AMOUNT FROM STATE GOVERNMENT TO MPSEB.

### ORDER (Passed on this day 21st September, 2004)

Gramin Vidyut Sakhari Samiti Maryadit - Petitioner  
Sidhi, (M.P.)

V/s

M.P. State Government - Respondent

### ORDER (Passed on this day 21st September, 2004)

Shri R.C.Patel, M.D. and Shri D.K.Mishra, P.S. appears for the petitioner.

None appears for the Respondents.

2. The petitioner is a registered society and is engaged in the business of distribution of electricity within the area of its operation i.e. Sidhi block of Sidhi revenue district excluding Sidhi Municipal Area. The society had distributed free electricity to single light point connections and upto 5 HP irrigation pump consumers in its area as per the State Government/MPSEB Order dated 26.12.1993 and 16.02.1994. The scheme was applicable upto December '2000. The society submitted the claims for reimbursement of the amount of Rs. 290.33 lakhs to the State Government through M.D., APEX Body, Jabalpur/MPSEB. The State Government has financed the amount of Rs. 50.55 crores to MPSEB in this account & MPSEB had adjusted only 205.00 lakhs in favor of the petitioner. Balance of Rs. 85.33 lakhs yet to be adjusted. Thereafter, MPSEB had issued an Order to supply free electricity upto 5HP irrigation pumps and single light point connections upto December 2003. The society has submitted the claims of Rs. 1040.75 lakhs through M.D. Apex Body, Jabalpur but has not yet received from the State Government any amount in this regard.

3. During the hearing today the Commission enquired from the petitioner under which section they have approached the Commission. The petitioner submitted that under section 65 of the Electricity Act, 2003 this petition has been submitted before the Commission. Commission states that the petitioner should approach the State Government and not the Commission. As per the provisions of Section 65 of the Electricity Act, 2003 if the Government requires the grant of any subsidy to any consumer or class of consumers in the tariff determined by the State Commission, the State Government shall submit the proposal.

4. Commission heard the petitioner. Commission is of the view that the petition submitted by the petitioner is not tenable because as per the provision of Section 65 of the Electricity Act, 2003 aforesaid if the State Government requires the grant of any subsidy to any consumer or class of consumers in the tariff determined by the State Commission, the State Government shall pay in advance and in such manner as may be specified, the amount to compensate the person affected by the grant of subsidy in the manner the State Commission may direct. In this case the petitioner is not competent to submit such petition. If the Government requires the grant of any subsidy to any consumer or class of consumers then the proposal in the form of petition would have been submitted by the Government.

5. If the society acted on the instructions of the State Government, then it should approach to the State Government in this regard. Therefore the petition is disposed of for the reasons mentioned above.

Ordered accordingly.

Sd/-  
(R.Natarajan)  
Member (Econ.)

Sd/-  
(D.Roybardhan)  
Member (Engg.)

Sd/-  
(P.K.Mehrotra)  
Chairman

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