

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM ,
AURANGABAD ZONE, AURANGABAD**

Case No. CGRF/AZ/AUR/R /310/ 2010/ 37

Date of Filing: 26. 10. 2010

Date of Decision: **28. 10. 2010**

Pepsico India Holding Pvt.Ltd.,
Plot No.D-7, MIDC Industrial Area,
Paithan, Tq.Paithan
Dist.Aurangabad.

(Consumer No. 493019040750)

Consumer Complainant.

V/s

Maharashtra State Electricity Distribution Co. Ltd. O&M Rural Circle,
Aurangabad.

Corum:-

Shri P.A.Sagane, Member/Secretary

Shri V.S.Kabra, Member

Sub: Grievance under the Maharashtra Electricity Regulatory
Commission, (Consumer Grievance Redressal Forum
and Ombudsman) Regulations 2006.

The consumer filed his grievance to this Forum on date 26.10.2010, after going through the prima-facia of this case it is found that consumer approach to this Forum without approaching to IGRC (Internal Grievance Redressal Cell) Rural Circle, MSEDCL, Aurangabad. Short notice given to both the parties and hearing was kept for admission of the case before CGRF on dated 28.10.2010. The consumer representative Shri S.S.Kundkar and Nodal Officer Shri A.R. Patil, Assistant Engineer, Rural Circle, MSEDCL, Aurangabad was present. The consumer high lighted the MERC Regulations 2006 Section 6.2, 6.4, and 6.5, and states that the Forum can entertained the case as per the provision of above Regulations.

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Nodal Officer, Shri A.R. Patil states that the consumer first time lodged his complaint on 30.09.2010 he paid the bill for September 2010 in two instalments as per the agreement with H.O. and as such the consumer should wait up to two months or approach to IGRC for redressal of his grievance as per the MERC Regulations. As the consumer had not followed the procedure as per above Regulations his case may be dismissed.

The submission made before the Forum reveals that the consumer filed his grievance before Superintending Engineer, Rural Circle, MSEDCL, Aurangabad vide his letter dated 30.09.2010. The MERC Regulations 2006 Section 6.5 is reproduced as below:

“ Notwithstanding Regulations 6.4, a grievance may be entertained before the expiry of the period specified therein, if the consumer satisfies the Forum that prima facia the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is regulations made hereunder or any order of the Commission, provided that, the Forum or Electricity Ombudsman, as the case may be, has jurisdiction on such matters:”

“Provided further that no such grievance shall entertained before the expiry of the period specified in Regulations 6.4, unless the Forum records its reason for the same”.

Here in the present case there is no threat or notice of disconnection from D.L at the time of filing of this case before Forum .The consumer had not followed the procedures as per the MERC Regulations 6.4 and 6.5. Hence, in present situation this case not comes under the perview of this Forum. The consumer had liberty to file his grievance before IGRC.

The presentation is disposed of in terms of above order.

**(Vilaschandra S. Kabra)
Member**

**(P.A.Sagane)
Chairperson &
Member Secretary**

