



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. **K/E/1067/1287 of 2016-17**

Date of Grievance : 17/10/2016

Date of order : 11/11/2016

Total days : 26

IN THE MATTER CASE OF GRIEVANCE NO. K/E/1067/1287/2016-17 IN RESPECT OF SHRI KULDEOPRAKASH B. GAUND, 1/5, NUTAN CHS LTD. HANUMAN NAGAR, KATEMANIVLI, KALYAN (E), REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING BILLING DISPUTE & COMPENSATION.

Shri Kuldeopakash B. Gaund,
1/5. Nutan C.H.S. Ltd.
Hanumanagar, Katemanivali,
Kalyan (E).

(Consumer No.020850126438-LT) (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its Nodal Officer,

MSEDCL, Kalyan Circle-I, Kalyan (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri Vijay B. Adke – Addl.EE &
For Consumer- Upadhyaya G. Shobhnath- CR &
Shri Dhiraj Gaund- In person.

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary and
Mrs.S.A.Jamdar- Member (CPO)].

Maharashtra Electricity Regulatory Commission, is, constituted
u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of
brevity referred as 'MERC'. This Consumer Grievance Redressal Forum
has been established as per the notification issued by MERC i.e.

“Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2] The brief facts of the grievance application are as under:-

The consumer has filed this grievance on 17/10/16, contending that he is holding the meter bearing consumer No. 020850126438-LT. Consumer further contended that due to over load the meter was burst and said meter was stopped and therefore, AC,TV were get repaired and bulb was newly purchased. Due to negligence of the Licensee he sustained loss. He has borne the amount of Rs.15,000/-for repairing of the AC and TV.

3] On 3/6/16 the consumer has made complaint to the Licensee about loss sustained by him but the Licensee did not take any cognizance for about one month. The consumer, therefore, approached to IGRC on 30/6/16. However, the IGRC did not send him any written notice for hearing of his matter and for his appearance. Only telephonic communication was made about the date of hearing. Consumer refused to appear without written notice whereupon written notice was given by which

hearing was fixed on 5/8/2016. Hearing was then held on 5/8/16. There is no signature on the application dated 12/8/16. At the time of hearing the official of the Licensee Shri Edke, Shri Sonawane and Shri Rathod were present. The IGRC has passed the order on 14/8/16 and he is dissatisfied by the order of IGRC.

4] The consumer stated that he had given a complaint about excessive billing. The contention that acue check was done is false. However, IGRC has stated in the order that acue check test was done and the meter was found all right. In fact in such test was done although the meter checking charges of Rs.150/- were recovered from the consumer. Till 16/8/16, his meter was not checked. The readings shown in the meter are incorrect. The consumer contends that due to fluctuation in voltage his electronic items like AC and TV were damaged. He claimed compensation for the same in the sum of Rs.15,000/-. He has also claim Rs.3500/- towards harassment. Consumer has produced the order of IGRC, copy of bill and other documents.

5] The notice was issued to the Licensee on 18/10/16. The Licensee has appeared on 9/11/16 and argued the matter.

6] We have heard both the sides. The ultimate prayer of the consumer appears to be in respect of the alleged loss caused to him to the tune of Rs.15,000/-on account of alleged damaged to AC and TV. There is further prayer for compensation towards harassment in the sum of Rs.3500/-.

7] We have given a thought to the entire allegations *vis-à-vis* the contentions raised and the provisions of the MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations 2006, in particular Regulation No.8.2 Sub Clause (c). The claim appears to be in

direct and consequential and we are of the opinion not covered by the above said provision. Even otherwise, there is absolutely no evidence placed on record in the first place that there were any such electronic sets like AC and TV in the house of the consumer much less the same were damaged on account of alleged fluctuation of voltage. Merely producing some Xerox copies of bills would not suffice to prove the claim. On the both counts, therefore, the grievance fails.

Hence the order.

ORDER

The grievance application of the consumer is hereby dismissed.

Date: 11/11/2016.

(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

(L.N.Bade)
Member Secretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or
c) delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.

