



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1587/1907 of 2019-20

Date of registration : 01/06/2019

Date of order : 10/07/2019

Total days : 39

IN THE MATTER OF GRIEVANCE NO. K/E/1587/1907 OF 2019-20 OF SHRI.MUKUND TUKARAM SANGLE, M/S BODY BLAST, 59/0, FRONT OF SAI TV, KURLA CAMP ROAD, ULHASNAGAR-5, DIST. THANE, PIN CODE – 421 005 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Mukund Tukaram Sangle,
M/S Body Blast, 59/0,
Front of Sai TV, Kurla Camp Road,
Ulhasnagar-5, Dist. Thane, Pin - 421 005
(Consumer No. 021514943513) . . . (Hereinafter referred as Consumer)
V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Smt.Ashwini N.Ishte, AE, Ulhasnagar-V S/dn.
2) Shri.S.S. Kale, UDC, Ulhasnagar- V, S/dn.

For Consumer - Shri.J.S.Rajput(C.R.)

[Coram- ShriA.M.Garde-Chairperson, Shri A.P.Deshmukh-Member Secretary
Mrs.S.A.Jamdar- Member (CPO)].

1) 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. [Electricity Supply Code and other conditions of supply Regulations 2005]. 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.

2) Consumer herein is one Shri.Mukund Tukaram Sangle having consumer no. 021514943513. Grievance is of excessive billing. Meter was removed on 13/11/2017 on the pretext that it was slow. But on testing nothing wrong was found. Lab testing was done.

3) Distribution Licensee in reply states that flying squad on visit found that the meter seal was tampered. Accordingly consumer was billed.

4) As per MERC Regulation 2000 R.6.8 (b) in case of offence under section 135 I.E. Act jurisdiction of this forum is excluded.

5) We have heard both sides. Distribution Licensee alleges theft. Theft bill was prepared. Given to consumer. Consumer has not paid the said bill. Assessment sheet prepared by flying squad is produced. Distribution Licensee has produced copy of F.I.R. filed with respect to allegation of removal of meter on 13/11/2017 by the Distribution Licensee. That being so jurisdiction of this Forum is ousted as per above referred provision.

Hence the order

ORDER

The Grievance application of consumer is hereby rejected for wants of jurisdiction.

Date: 10/07/2019

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

(A.P.Deshmukh)
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.