



BEFORE THE OMBUDSMAN

(Appointed by the Maharashtra Electricity Regulatory Commission under Section 42(6) of the Electricity Act, 2003)

Representation No. 8 of 2005
Order dated 21st April 2005

Maharashtra State Electricity Board
Through its Nodal Officer,
Office of the Superintending Engineer,
O&M (Urban) Circle, Tejashree, 3rd floor,
Karnik Road, Kalyan (W) – 421 301.....

Appellant

Versus

Shri Naresh Nihalchand Bhavnani
Shop No. 242, Near Police Station,
Ulhasnagar – 1.....

Respondent

ORDER

The Respondent is a Low Tension consumer of the Appellant, Distribution Licensee situated at Shop No. 242 near police station, Ulhasnagar. The Respondent aggrieved by non redressal of his grievance by the Appellant approached the Consumer Grievance Redressal Forum, Kalyan. The Forum heard the grievance and passed an order dated 21.02.2005 as per the provisions of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003.

The Appellant being aggrieved with the said order of the Forum filed the representation to this office vide the letter No. SE/UCK/Tech/665 dated 19.04.05. The representation is examined in the light of the provisions contained in Sub Section (5), (6) and (7) of Section 42 of the Electricity Act, 2003 read with the Regulations 16.1 and 16.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003.

Under the relevant provisions of the Act and Regulations, any consumer who is aggrieved by non redressal of his grievance may, make a representation for the redressal of his grievance to the Ombudsman. On perusal of the provisions referred to above, the Appellant cannot be classified as “consumer” as defined under Sub Section 15 of Section 2 of the Electricity Act, 2003. As such, the representation filed by the Appellant, against the order of the Forum, is not maintainable and is therefore rejected.

Sd/
W. G. Gorde
Ombudsman

Mumbai
21 April 2005

Sd/
S. N. Yadwad
Secretary