



BEFORE THE OMBUDSMAN

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

606, 'KESHAVA', Bandra Kurla Complex, Bandra (East), Mumbai 400 051
Tel. / Telefax: 022-2659 2965

Date: 29th June, 2005

REPRESENTATION NO. 15 OF 2005 **MINUTES OF THE MEETING**

Present : 1) Shri W.G Gorde, Ombudsman
2) Shri S. N. Yadwad, Secretary
On behalf of the Appellant:
1) Shri Rajendra Nahar
2) Shri P. D. Nagarkar
On behalf of the Respondent:
1) Shri M. A. Baig, E. E., M.S.D.C.L., Beed
2) Shri K. V. Deshpande, A. E., M.S.D.C.L., Beed

M/s. Canpex Chemicals Pvt. Ltd., the Appellant filed the representation on 19th May, 2005 seeking exemption from payment of demand charges since November, 2004. The Appellant is a medium scale industrial unit located at village Ambhora, Tal. Ashti, Dist. Beed who is a consumer of Maharashtra State Electricity Board, now known as Maharashtra State Distribution Co. Ltd. (hereinafter called as Respondent).

2. The Appellant in its representation has raised issues of low supply voltages and frequent interruption of power supply affecting the functioning of its industrial unit. This has allegedly resulted in non-utilization of sanctioned maximum demand and has therefore sought exemption from payment of demand charges from November 2004 levied by the Respondent.

3. The Respondent filed his reply on 28th June, 2005 claiming that interruptions on the feeder were mainly due to planned load shedding. The Appellant's industrial unit is located in a rural area and is served from the rural feeder. There is no exemption from load shedding to such units served on rural feeder. The Respondent says that the Appellant can avail power through separate 11 KV feeder by paying the relevant cost under ORC scheme.

4. The matter was heard on 29th June, 2005. The Appellant was represented by Shri Rajendra Nahar. Mr. M. A. Baig, Executive Engineer and Mr. K. Y. Deshpande, Assistant Engineer, represented the Respondent.

5. On going through the case, it reveals that the Appellant had filed his grievance on 18th January, 2005 to the Consumer Grievance Redressal Forum, C/o. Superintendent Engineer of the Respondent, Beed. The Respondent, however, replied to the Appellant rejecting his request but did not forward the copy of the grievance to the Consumer Grievance Redressal Forum which is located at Latur nor did it advise the Appellant to approach the Consumer Grievance Redressal Forum at Latur. As a result, the grievance application did not reach the Forum even till this date. It is clear that the Respondent failed to advise the Appellant properly.

6. Regulation 16 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 stipulates that the consumer has to make a written representation to the Forum and if aggrieved by the order of the Forum, can approach the Office of the Ombudsman. In this case, the Appellant's grievance to the Forum although submitted to the Respondent's office, has not reached the Forum. Consequently, there is no order from the Forum.

7. In view of above, it will not be proper to go through the merit of the case. The Appellant is advised to approach the Forum in the first instance, for redressal of its grievance and then, if necessary, approach this office later. Till then, the case is adjourned. Both the parties be informed accordingly.

Sd/
(W. G. GORDE)
Ombudsman

Sd/
(S. N. YADWAD)
Secretary