

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ, औरंगाबाद.

Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240 - 2336172

No: CGRF/AZ/AUR/ U / 232 / 2009 / 66

Date :-

To,
The Executive Engineer (Administration)
O/O Superintending Engineer ,
O&M Rural Circle , M.S.E.D.C.L.,
Aurangabad.

Sub:- Forwarding of grievance in respect M/S Dhoot Polyfabric
Pvt.Ltd.Gut No.100, Pharola, Paithan Road, Aurangabad.
(Consumer No. 493159040580)

Dear Sir,

Please find enclosed herewith a copy of the grievance
application received by the Forum from Forwarding of grievance in
respect of M/S Dhoot Polyfabric Pvt.Ltd.Gut No.100, Pharola, Paithan
Road, Aurangabad.

You are requested to submit your para wise reply on the grievance
at the time of hearing. The hearing in the matter will be held on
24.07.2009 at 11= 30 Hrs. onwards.

Encl: As above

Member/Secretary
CGRF(AZ) MSEDCL
Aurangabad.

Copy to:-
M/S Dhoot Polyfabric
Pvt.Ltd.Gut No.100
Pharola, Paithan Road,
Aurangabad.

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

Case No. CGRF/AZ/AUR/U /232/ 2009/66

Date of Filing: 09.07.2009

Date of Decision: 31.07.2009

M/S Dhoot Polyfabric Pvt.Ltd.
Gut No.100, Pharola
Paithan Road,
Aurangabad.

Consumer Complainant.

V/s

Maharashtra State Electricity Distribution Co.Ltd.
Urban Circle, Aurangabad.

Corum:	Shri V.A.Hambire	President
	Shri H.A.Kapadia	Member
	Shri P.A.Sagne	Member/Secretary

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

The consumer complainant has filed this grievance through its president in Annexure "A" before this Forum on **09.07.09** under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was registered in this office at Sr.No. 232/2009/66 and was forwarded to the Nodal Officer, (Adm.) in the office of the Superintending Engineer, O&M Rural Circle, Aurangabad and hearing in the matter was kept on 24.07.2009

The grievance of the consumer, in brief, is as stated below..

1. The consumer has taken HT supply for his factory situated at Gut No.100, Village Pharola, Paithan Road, Aurangabad and are paying the monthly bills issued by the Distribution Licensee (hereinafter referred to as D.L.) regularly. The consumer contended that he has received electricity bill for the month of May 2008 in which it is mentioned that ,if the said bill is paid before 09.06.08, prompt payment discount of Rs.3452 will given. The consumer accordingly after deducting prompt payment amount of Rs. 3452 paid Rs.324070/ on 09.06.2008. The consumer further contended that in the bill for the month of June 2008, issued by the D.L. in which the prompt payment discount of Rs. 3452/ and DPC charges of Rs.6550=56/ along with security deposit arrears of Rs.41200/ was shown in the bill. The consumer therefore requested the Forum to direct the D.L. to refund the prompt payment amount and DPC charges wrongly levied in the bill.
2. On 24.07.09, i.e. on the first day of hearing, consumer representative shri Bhandarkar was present. Nodal officer S.B. Chiwande was present on behalf of D.L. She filed her reply on the grievance and stated that since the consumer has not paid the security deposit , the amount paid by the consumer in the month of June 08 was adjusted against the security deposit payment and balance amount was shown as arrears in the next month bill. Nodal officer as directed the file rules in this regards before next hearing which was kept on 28.07.09.
3. On 28.07.09, consumer representative Shri Bhandarkar was present. Nodal officer S.B. Chiwande was present. She filed copy of commercial circular bearing No. 95 dated 16.7.09 issued by the Director operation of the D.L. Forum heard both parties at length and the matter was kept for decision.
4. On going through the documents placed before us, we observed that consumer has taken high tension supply for industrial purpose for his factory situated at above mentioned address. There was no billing dispute between the parties till April 2008. The consumer has received bill for the month of May 2008 in which the bill amount was shown as Rs.324070/. The consumer , on payment of said bill before 09.06.08 was entitled for discount of Rs.3452/ towards prompt payment . It is observed that the consumer has paid the bill on 09.06.08 after deducting the prompt payment discount amount. Forum also observed that apart from this regular monthly bill demand , D.L. has also issued demand letter for payment of additional security deposit of Rs.41200/ .

As per guidelines mentioned in the circular filed by the Nodal officer, it is reveal that , D.L. is required to issue 15 days disconnection notice to the consumer incase consumer fails to pay the additional security amount. In spite of the above said clear provisions mentioned , the D.L. has wrongly adjusted the payment of previous bill amount in the next month bill by converting partial amount of bill in the security deposit.

In view of above observations , we are of the opinion that the action of D.L. to adjust payment of monthly bill into security deposit is not correct and is also not as per provision of circular issued by D.L.'s higher authority. The consumer is therefore liable to get refund of prompt payment discount and DPC charges paid by him. However the consumer's request about refund of additional security deposit of Rs. 33462/ cannot be considered at this stage as the same was not part of his grievance filed before the Forum and also as the same was not intimated to D.L. before stipulated period of 60 days.

Hence the following order.

ORDER

1. The Distribution Licensee is directed to adjust the prompt payment discount amount of Rs. 3452/ and DPC amount of Rs. 6550=56 in the next bill due to be issued to the consumer.

The D.L.& the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case.

(H.A.Kapdia)
Member

(P.A.Sagne)
Member Secretary

V.A.Hambire
President

Case No. 232 /66
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ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ औरंगाबाद.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.-

No. Case No. CGRF/AZ/AUR/R /232/ 2009/66

Date:-

To,

- 1. M/S Dhoot Polyfabric Pvt.Ltd.
Gut No.100, Pharola Village,
Paithan Road , Aurangabad.*
- 2. The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M, Rural Circle, M.S.E.D.C.L.
Aurangabad.*

Subject :- Grievance Case No.CGRF/AZ/AUR/R/232/2009/66

Dear Sir,

Find enclosed herewith a copy of order passed by the Forum in the case mentioned above.

The consumer, if not satisfied with the decision of the Forum , is at liberty to make a representation to the Electricity Ombudsman, the contact details of whom is as under, within a period of 60 days from the date of this order.

Encl: As above

*Copy to:-
The Chief Engineer(AZ)
MSEDCL,Aurangabad.*

*Member/Secretary,
CGRF(AZ) MSEDCL,
Aurangabad.*

*Contact Details of Electricity Ombudsman:
The Electricity Ombudsman
Maharashtra Electricity Regulatory Commission
606-608, Keshava Building Bandra-Kurla Complex,
Mumbai 400 051 (Tel.No. 022-26590339)*

