

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

Case No: CGRF/AZ/JLN/121/2008/42/

Date:-

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

Sub:- Forwarding of grievance in respect of M/s Amar Amit Jalna Alloys Pvt.Ltd., Gut No.953/A, Keligavan Road, Shelgaon, Tq.Badnapur, Dist.Jalna (Consumer No. 51001900567.2)

Dear Sir

Please find enclosed herewith a copy of the grievance application received by the Forum from M/s Amar Amit Jalna Alloys Pvt.Ltd., Gut No.953/A, Keligavan Road, Shelgaon, Tq.Badnapur, Dist.Jalna.

The consumer has requested for passing an interim order for not to disconnect his supply on account of wrongly calculated Security Deposit amount..

You are requested to submit your reply on the grievance of the consumer at the time of hearing .

The hearing in this matter is kept on 26/08/208 at 12=30 Hrs.

Member/Secretary
Consumer Grievance Redressal Forum,
MSEDCL (AZ) Aurangabad.

Encl As above.

Copy to :
M/s Amar Amit Jalna Alloys Pvt.Ltd.,
Gut No.953/A, Kelegavan Road, Shelgaon,
Tq.Badnapur,
Dist.Jalna

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD

(Case No. CGRF / AZ /AUR /U / 121 / 2008 / 42).

M/S Amar Amit Jalna Alloys Pvt.Ltd.

Gut No. 953/A, Shelgaon,

Tal.Badnapur, Dist. Jalna.

(Consumer No. 51001900567)

Consumer Complainant.

V/s

**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION
COMPNAVY LTD. Circle Office , Jalna.**

The Distribution Licensee.

Date:- 26.08.2008

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

INTERIM ORDER

The consumer has received fifteen days disconnection notice from the Distribution Licensee on account of non payment of arrears of Rs. 36,62,190/-. The consumer has filed an application in the Forum for passing Interim order directing the Distribution Licensee for not to disconnect the electricity supply of his factory on the ground that the interest calculations are not made correctly.

The grievance of the consumer was admitted as per Regulation No. 6.5 of Maharashtra Electricity Regulatory Commission The hearing on the application of the consumer was kept on 26.08.08.

On the date of hearing , Nodal officer Shri L.G.Sagaskar & consumer Shri Bharat Dembda were present. The Nodal officer filed his reply on the grievance and stated that the interest amount of Rs. 3,47,763=75 will be credited into arrears amount of the consumer. The consumer stated that he has filed application with the D.L. for allowing him to pay the security deposit in the form of bank guarantee and for which he has not received any reply.

Cont:

“2”

Heard both parties. Forum observed that the D.L. has calculated the interest on the security amount paid by the consumer from the year 2002 to March 2008 and interest amount of Rs. 3,47,763=75 shown is found correct. However the credit of said amount is not given in the next bill issued to the consumer. Further the consumer has shown his willingness for payment of security deposit in the form of bank guarantee however D.L. has not filed any reply on the consumer's application. The Nodal officer stated that the decision to accept the bank guarantee is awaited from his head office

In view of the above , the Forum passed following interim order.

1. The D.L. shall issue and served the revise bill showing credit of interest amount of Rs. 3,46,763=75 to the consumer before 28th August 2008.
2. The consumer shall pay 75% amount of the revised bill before 30th August 2008.
3. The D.L. shall submit his response regarding the application of the consumer for accepting the bank guarantee towards payment of security amount.

The next date of hearing is kept on 2.9.08.

(H.A.Kapadia)
Member

(A.N.Sonwane)
Member/Secretary

(V.A.Hambire)
President

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD

(Case No: CGRF/ AZ / JLN / 121 / 2008 / 42)

Date of Filing: 20.08.2008

Date of Decision: 05.09.2008

M/S Amar Amit Jalna Alloys Pvt.Ltd.

Gut No. 953/A, Shelgaon,

Tal.Badnapur, Dist. Jalna.

(Consumer No. 51001900567)

Consumer Complainant.

V/s

**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION
COMPANY LTD. Circle Office , Jalna.**

The Distribution Licensee.

Coram:

Shri V.A.Hambire

Shri H.A.Kapadia

Shri V.G.Joshi

President

Member

Member secretary

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

The consumer complainant M/S Amar Amit Jalna Alloys Pvt.Ltd. Jalna has filed his grievance through its Director Shri Rajkumar A.Dembda in Annexure "A" before this Forum on 20.08.08, under Regulation No. 6.10 of the Regulations 2006. The consumer has received 15 days disconnection notice from the Distribution Licensee (hereinafter referred to as D.L.) for non payment of arrears amount of Rs. 36,62,190/-. The consumer contested that D.L. has wrongly calculated the interest amount on security Deposit and therefore the amount shown in the notice is wrong.

Case No. 121 /42

Page No. 01/ 4

“2”

The consumer therefore requested the Forum to direct the D.L. not To disconnect the Electricity supply of his factory by way of Passing an interim order

The grievance of the consumer was forwarded to the Nodal Officer Administrative Officer in the office of Superintending Engineer, Jalna and hearing in the matter was kept on 26.08.08.

On 26.08.08, consumer representative Shri Dembda was present. Nodal officer Shri L.G.Sagaskar was present. He filed his reply on the grievance of the consumer and stated that the interest calculations are made as per guidelines issued by their head office and same are correct. He also filed copies of General circulars bearing No. 390 dt.09.03.2004, 414 dt. 02.04.2005 , 32 dt. 27.03.06 and 59dt.20.03.07, issued by his higher authorities showing interest percentage to be charged.

The consumer stated that the present rate of interest is @ 12% and D.L. should have consider the same for calculating the interest. He further contended that he is ready to pay the security deposit by way of Bank Guarantee but D.L., in spite of his application has not taken any action.

We heard both the parties. On going through the documents filed by both the parties, we observed that the rate of interest calculated by the D.L. is inline with the guidelines issued by their head office. The electricity connection was released to the consumer in the year 1997. The consumer during all these years has never raised any objection regarding interest rate. It is only after the receipt of 15 days disconnection notice dt. 08.08.2008, issued by the D.L., the consumer has filed his grievance in the Forum . However even though the interest rate and total interest amount of Rs. 3,46,763/ calculated by the D.L. is correct, we observed the said amount has not been deducted from the arrears amount of Rs. 36,,62,190/ for which the disconnection notice has been issued . The amount shown in the 15 days disconnection notice for nonpayment of Rs. 36,62,190 is therefore required to be revised . We further observed that the D.L. has not taken any cognizance of the letter issued by the consumer for payment of security deposit in the form of Bank Guarantee.

“3”

In view of above observation, the Forum passed an interim order, on 26.08.2008 directing the D.L. not to disconnect electricity supply of the consumer and further directed the D.L. to issue revised bill showing credit of Rs. 3,46,763=75 towards interest on security deposit before 28.08.08. The consumer was directed to make 75% payment of the bill so revised before 30th Sept.2008. The Nodal officer was directed to file his reply on the application of the consumer for payment of security deposit in the form of Bank guarantee before the next hearing which was kept on 02.09.2008.

On 02.09.2008, both the parties were present. The interim order passed by the Forum was complied by both the parties. The consumer filed an application stating that he desires to file rejoinder about interest rate and therefore requested the Forum to grant time extension for filing the same. The Nodal officer filed copy of the letter dt.28.08.08, issued to the consumer on his request for accepting Bank Guarantee against payment of security deposit and stated that as per para 11.10 sub-para(ii) of M.E.R.C. Regulations 2005,(Electricity Supply code & other Conditions of supply), consumers request cannot be accepted as there are arrears of Rs. 11.22 crore in the name of the consumer.

On going through the M.E.R.C. Regulations 2005 (Electricity Supply Code & other Condition of supply) we observed that as per provision (para No. 11.10) , D.L. shall accept the payment of security deposit in the form of Bank Guarantee if there are no arrears with the consumer. On going through the bill for the month of August 2008, we observed that amount of Rs. 11,17 has been shown as arrears in the said bill. During the hearing, both the parties stated that the dispute regarding the same is already filed in the Hon'ble High Court, Aurangabad.

We are therefore of the opinion that the stand taken by the D.L. for non acceptance of Bank guarantee till the dispute is settled is correct . We therefore passed following order.

Case No. 121 /42
Page No. 03 / 4

“4”

ORDER

- 1.** Since the consumer has paid 75% of the revise bill , the Distribution Licensee shall issue bill of balance 25% amount without charging D.P.C. and interest and same shall be served to the consumer before 04.09.08.
- 2.** The consumer shall pay the said bill before 06.09.2008. The D.L. is free to initiate action of disconnection , incase the payment is not received before 06.09.08

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

Inform both the parties and close the case.

(H.A.Kapadia)
Member

(A.N.Sonwane)
Member Secretary

(V.A.Hambire)
Chairman

Case No. 121 /42
Page No. 04/ 4

**Shri Bharat D.Nilawar
Shop No. 4 , Jabinda Residency
Dashmeshnagar, Aurangabad.**

(Consumer No. 490012240900)

The Consumer Complainant.

Vs

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

The Distribution Licensee.

Coram:

Shri V.A.Hambire
Shri H.A.Kapadia
Shri V.G.Joshi

President
Member
Member secretary

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

The consumer complainant , Shri Bharat D.Nilawar, Shop No. 4, Jabinda Residency, Dashmeshnagar, Auarangabad.has filed his grievance in Annexure “A” before this Forum on **16.06.08** , under Regulation No. 6.10 of the Regulations 2006. A copy of the grievance was forwarded on 23.06.2008 to the Nodal Officer and Executive Engineer(Adm) in the office of the Superintending Engineer, Urban Circle, Aurangabad with a request to furnish his response within (15) fifteen days from the date of receipt of the letter and the hearing in the matter was fixed on 01.07.2008.

Case No. 108 /29

Page No. 01/ 4

The grievance of the consumer, as per consumer, is as stated below: