



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO. K/E/0148/0169 OF
08-09 OF M/S. AMOGH CHEMICALS PVT. LTD. BADLAPUR
(EAST) REGISTERED WITH CONSUMER GRIEVANCE
REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT
REFUND OF SECURITY DEPOSIT WITH INTEREST & RLC
CHARGES.

M/s. Amogh Chemicals Pvt. Ltd.
W – 79/80, MIDC Mankivali,
Badlapur (East) : 421 503

} (Here in after
referred to
as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Badlapur (East) Sub Division

} (Here in after
referred to
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of

consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2). The consumer is a L.T. consumer of the licensee connected to their 415-volt network. The Consumer is billed as per Industrial Tariff. Consumer registered grievance with the Forum on dated 08/12/2008.

The details are as follows: -

Name of the consumer :- M/s. Amogh Chemicals Pvt. Ltd.

Address: - As above.

Consumer No : - 021540238003 from year 2000

Reason of dispute: Refund of Security Deposit with interest & RLC charges.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/370 dated 08/12/2008 to Nodal Officer of licensee. They replied vide letter dated DYEE/BDL(E)/Billing/3395, 26/12/2008.
- 4) The Member Secretary & Member of the Forum heard both the parties on 29/12/2008 @ 15 Hrs. in the meeting hall of the Forum's office. Shri B. R. Mantri, Consumer's Representative & Shri A. W. Mahajan, Dy. Executive Engineer, Shri V. Y. Kamble, Assistant Engineer, Shri S. S. Nalke, Jr. M., Shri B. R. Patil, Asstt. Acctt. representatives of the licensee attended hearing.
- 5) The consumer was having L.T. Industrial supply – LT

consumer No. 021540238003 from 2000. The L. T. supply was permanently disconnected on 30/03/08 and fresh H. T. supply was released. The consumer has paid full and final P. D. bill on dated 31/03/2008. He has requested licensee to refund the S. D. with interest & RLC charges from 2000 which was collected from him against their L. T. connection which has to be refunded as per MERC order. The consumer has not received interest on S. D. from 2000 to till date. He has requested to refund and transfer the same in their monthly current bill adjustment of HT consumer No. 021539050760. Total S. D. balance Rs. 45,000/- (+) Interest calculated at Rs. 12,153/-. Total refund including interest demanded by consumer from licensee is Rs. 57,153/-.

- 6) The licensee stated that the application of consumer for refund of S. D. is received in the month of September 08, since the refund cannot be given without application of consumer, the same was kept pending. Now the case will be processed further. For refund of Security Deposit, original money receipts are required to be submitted to the licensee, as per rules. But the consumer has submitted receipt for Rs.35000/- only. The receipt for Rs.8000/- is not available with the consumer.
- 7) Regarding Regulatory Liability Charges (RLC) the Circular No. PR-3/Tariff/43583, dt.15/12/08 issued by Head Office, in which it is mentioned that RLC is to be refunded to the Permanantly Disconnected Consumer (PD on LT supply, but HT supply IS

existing). The RLC amount with interest will be adjusted in the current bill of consumer from January 2009 onwards(as per guide lines of above circular).

- 8) The consumer stated that he has given affidavit on stamp paper of Rs.100/- (Rs.50/+ Rs.50/-) as required by licensee in which he has mentioned cheque No. & date, which will help the licensee to trace out the receipt No. As per procedure of licensee the consumer will give the undertaking in their prescribed proforma.
- 9) Licensee has accepted that upto the end of January 2009 the Security Deposit with interest will be calculated & the same will be adjusted in the future current bills. The effect will be given in the bill of February 09.
- 10) The consumer has accepted the S.D. amount calculated by licensee with interest.
- 11) Forum Observations :- The consumer has made application for refund of SD in Sept.08 and the licensee has already initiated the action for refund of SD with interest and transfer of RLC charges to HT connection account. The consumer has been instructed to complete other formalities as prescribed in the rules which is being done. As per MERC directives the refund of SD/RLC is done in case of PD consumer. In this case the LT supply is permanently disconnected after giving HT supply. So still he is an existing consumer. Therefore his SD /RLC should be adjusted in the future HT energy bills. Licensee has conceded that upto the

end of January 2009 the Security Deposit with interest will be calculated & the same will be adjusted from Feb 09 bill and onwards. The consumer has also accepted the same.

- 12) The consumer registered his grievances in following points.
 - a). Refund of Security Deposit(SD) amount with interest.
He has also requested to refund SD amount with interest from year 2000 to 06.12.08 i.e. upto the date of registration of grievance.
 - b). Refund of Regulatory Liability charges (RLC) charges
 - c). To solve his grievance consumer approached to the licensee on 06.09.08. The licensee did not solve his grievance therefore he registered his grievance with the forum.
 - d). Licensee has accepted that upto the end of January 2009 the Security Deposit with interest will be calculated & the same will be adjusted in the future current bills. The effect will be given in the bill of February 09 and onwards
 - e). The consumer has accepted the effect date and amount calculated by licensee with interest.
- 13) The consumer has approached the licensee for refund of SD with interest vide letter dt.6.9.08 and for RLC dt.6.9.08. But licensee has not taken any action. It is observed that the licensee shown his readiness to redress above grievances of the consumer during the hearing. The consumer satisfied with the explanation

given by the licensee at the time hearing. If they tried to explain the consumer, in the same manner, earlier, this grievance would not have come upto CGRF and this valuable time would have been used other useful work. This may please be noted by all the licensee personnel concerned.

- 14) After hearing & studying all available documents submitted by both the parties, forum come to the conclusion unanimously and pass the following order :

- O R D E R -

- (1) The Licensee should refund the Security Deposit to the consumer upto the end of January 2009 with interest and adjusted through energy bills from Feb 09 bill and onwards.
- (2) The Regulatory Liability charges (RLC) recovered from this consumer at the time of release of LT connection (now it is PD after availing HT connection), may be transferred on HT connection account of this consumer.
- (3) Compliance report should be submitted to the forum within stipulated time.
- (4) Consumer can file appeal against this decision with the Ombudsman at the following address.

*“Maharastra Electricity Regulatory Commission,
606/608, Keshav Building, Bandra - Kurla Complex,*

Mumbai 51”

Appeal can be filed within 60 days from the date of this order.

- (5) Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address:-

*“Maharashtra Electricity Regulatory Commission,
13th floor, World Trade Center, Cuffe Parade, Colaba,
Mumbai 05”*

For non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003”.

Date :- 29/01/2009

(Sau V. V. Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan