

BEFORE CONSUMER GRIEVANCE REDRESSAL FORUM NANDED ZONE
NANDED

Case No. 6/2017

Complaint received on 06.04.2017

Complaint decided on 09.08. 2017

Jai Corp Ltd., Sipta Coated Steels Division} -- Applicant
A-3/4, MIDC, Nanded-431603, }
Consumer No. 550019000443 }
(Through : Its V.P. (Commercial) }
Shri D.K. Lunawat }

Vs.

MSEDCL, }
(Through : O&M Circle, Nanded) } -- Non-applicant

Quorum : Shri V.S.Tekaday, Member Secretary
Shri M.Q.Bawala, Member

JUDGEMENT

- 1) That the present complaint/ grievance is filed by the applicant Consumer Jai Corp Ltd., Sipta Coated Steels Division, A-3/4, MIDC, Nanded through its V.P. (Commercial) Shri D.K. Lunawat on Dt. 06.04.2017
- 2) That the consumer has requested MSEDCL to refund the 18% interest amount Rs.385920=00 towards delay in adjusting excess security deposit of consumer No. 550019000443. MSEDCL adjusted this excess security deposit amount in May-2016 bill. It got delayed by eight months.

The applicant consumer has prayed or requested to the forum as under:

- a) The applicant consumer demanded refund of 18% interest Amount Rs. 385920=00 towards delaying adjusting excess security deposit of consumer No. 550019000443.

After receiving Form 'A' of the applicant consumer, the forum had issued notice to MSEDCL to file there parawise written statement.

- 3) It has been alleged by the applicant that, they have requested MSEDCL to refund the 18% interest of consumer No.

550019000443 amount of Rs.385920=00 towards delay from MSEDCL end to refund/adjust the excess security deposit amount. In the month of April every year, Type interest on security deposit is adjusted and that is for regular security deposit of the consumer. Whereas we requested MSEDCL in July-2015 to refund the excess security deposit Rs. 3215392=00 & the same we could have been received by August-2015 as per Conditions of supply based on MERC Electricity Supply Code & Other Conditions of Supply Regulation. Since adjustment has been delayed beyond 30 days as MSEDCL has adjusted this amount in the month of May-2016 bill. Hence for delay period from September-2015 to April-2016 the 18% interest has to be paid by MSEDCL on amount Rs. 3215392=00.

It has been further stated by the applicant that, still MSEDCL is saying that they cannot give interest on excess security deposit which MSEDCL has held the amount with them for more than eight month. For this delay MSEDCL has to pay 18% interest on excess security deposit.

It has been further requested by the applicant that, MSEDCL is saying that they have already paid the interest as per company's norms for financial year 2015-2016 and same was credited in the month of April-2016 bill. **Kindly note that MSEDCL has paid Type Interest on the amount, whereas our request is for 18% interest on our excess security deposit which got delayed by eight months.**

- 4) MSEDCL has filled their written statement through Superintending Engineer, Circle Office, Nanded vide Lr.No. SE/NDC/Acs/ 2621 Dt. 13.06.2017.

It has been stated by MSEDCL that the, the present grievance application of the applicant is misplaced and devoid of truth hence the same denied in Toto and the same is liable to be dismissed summarily being misleading one and contrary to the rules and regulation of MSEDCL .

It has been stated by MSEDCL that, as per the Tariff Order dated 30.07.2015 the MSEDCL has to recalculate security deposit once in the financial year, as the consumer has applied on Dt. 20.07.2015, so accordingly the same is refunded after recalculation as per the rules and regulation of MSEDCL and accordingly the refund of Rs 3216000.00/- (against excess SD) is credited to the consumers energy bill for the month of May 2016 after the financial year.

It has been further stated by MSEDCL that, , consumer is asking for refund of interest amount on Excess SD from period Sep-15 to April-16 , but the interest on said SD is already paid by MSEDCL as per companies norms for financial Year 2015-16 on Total SD amount of Rs.6308300 (i.e. Req. S.D. Rs. 3092300.00 + Excess SD Rs.3216000.00) and is credited (as a bill adjustment) in m/o April-16 Energy bill, hence the demand of interest on Excess SD is not considerable and liable to be rejected.

- 5) Hearing of this case was taken on Dt. 13.06.2017 & thereafter also on Dt. 13.07.2017.

At the time of hearing on Dt. 13.06.2017 the consumer representative Shri D.K. Lunawat was present. On behalf of MSEDCL Shri C.U. Chourasiya, Dy.EE, Nanded Circle and Shri U.T. Chavan, Asstt.Auditor were present.

At the time of hearing on Dt. 13.06.2017 applicant has requested to give seven days to submit their written statement as they received MSEDCL say on Dt. 13.06.2017. Forum allow to applicant for submission of written statement within seven days

At the time of hearing on Dt. 13.07.2017 the consumer representative Shri D.K. Lunawat was present. On behalf of MSEDCL, Shri C.U. Chourasiya, Dy.EE, Nanded Circle and Shri U.T. Chavan, Asstt.Auditor were present.

- 6) The following points arise for the consideration of the forum and forum has given its finding in front of them :

Points :

- i) Whether the applicant is entitled for the refund of 18% interest amount Rs.385920=00 towards delay in adjusting excess security deposit of Consumer No.550019000443

If yes to what extent.

- ii) What order?

Findings :

Applicant is not entitled for refund of 18% interest amount Rs.385920=00 towards delay in adjusting excess security deposit of Consumer No.550019000443

As per final order

Reasons
Point No. 1 & 2

- 7) The applicants representative Shri D.K. Lunawat has stated before the forum as under :
- A) The applicant has applied to MSEDCL for refund of excess security deposit amount on dated 20.07.2015. The excess security deposit Rs. 3216000=00 could have been received by 20.08.2015(as per condition of supply). The same amount was adjusted in the monthly bill of May-2016. It got delayed by eight months Hence from September-2015 to April-2016 the 18% interest has to be paid by MSEDCL on amount Rs. 3216000=00
8. It is contended by MSEDCL in its say that, the interest on excess security deposit amount from September-2015 to April-2016 is already paid by MSEDCL as per companies norms for financial Year 2015-16 on total S.D. amount of Rs. 6308300(i.e. Req.S.D. Rs.3092300.00+ Excess S.D. Rs.3216000.00) and is credited (as a bill adjustment) in the month of April-2016 Energy bill.
9. The forum has carefully considered the statements of the applicant's representative & the official of MSEDCL and also the documents produced by the applicant and MSEDCL. The forum has also gone through the circular quoted by the applicant consumer.

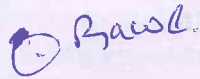
Therefore, in the result for the aforesaid reasons, the forum passes following order :

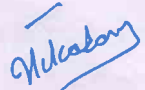
ORDER

- 1) The grievances / complaints of the applicant in "A" form are rejected in toto.
- 2) If the applicants are not agree with the judgment given by the forum then the applicant can file his representation within 60 days from the date of decision in "B" form before the Ombudsman on the following address. Form "B" is available with free of cost in this office.

Address :

The Ombudsman
Maharashtra Electricity Regulatory Commission,
Plot No.12, Shri Krishnavijay Nagar Chavani,
Nagpur-440 013.
Phone No. 0714-2022198


(M.Q. Bawala)
Member
CGRF Nanded.


(V.S. Tekaday)
Member Secretary
CGRF Nanded.