

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

“ Vidyut Bhavan ” Ratanlal Plot,Akola. Tel No 0724.2434475

ORDER.

Dt. 26/04/2017

Complaint No. :- 12/ 2017

In the matter of grievance pertaining to the payment of interest on refund of electricity duty.

Quorum

Shri. R.A. Ramteke ,Member-Secretary
Shri. D.M.Deshpande-Member (CPO)

M/s SANNA Ginning Factory, :- Complainant.
Songiri Road, Barshitakli,
Distt. Akola.
Consumer No.Ind-310156670234

....Vrs.....

Ex Engineer MSEDCL, :- Respondent
O&M Rural Division,Akola.

Appearances: -

Complainant Representative :- Shri. Ashish Chandarana

Respondent Representative :- Shri. D.S. Umbarkar Ex.Engineer

1. Being not satisfied with the remedy provided by IGRC Akola, complainant M/s SANNA Ginning Factory, Barshi Takli approached this forum with grievance of modifications of IGRC Order to the extent of payment of interest at 18% P.A. on refund of Electricity duty .

2. According to complainant, He is L.T. Industrial Consumer of N.A. MSEDCL from 23.12.2013. He approached IGRC Akola with grievance of refund of Electricity duty collected unlawfully with interest. According to complainant IGRC

Akola have decided the grievance of refund of electricity duty in favour of complainant but rejected the claim for interest.

3. Reply came to be filed by N.A. MSEDCL on 23.03.2017. According to N.A. the refund of electricity duty amount Rs 56165.85 is already credited in the energy bill for Feb-2017. N.A. annexed the copy of office note dtd.13.03.2017 signed by Assistant Accountant Barshitakli with the reply.

4. Heard Shri Ashish Chandarana representative of complainant and Shri D.S.Umbarkar E.E. for N.A. During hearing representative of the complainant brought to the notice of forum that N.A. MSEDCL have agreed the order of IGRC Akola in respect of refund of Electricity duty but did not give any statement without which correctness of refund could not be ascertained. Representative referred order passed by Hon'ble Ombudsman Nagpur in representation No. 45/2013, 46/2013, 47/2013,48/2013 and 55/2013 on 7th June-2013 and filed on record and stressed for payment of interest at 9.5% on refund of Electricity duty as ordered by Hon'ble Ombudsman.

5. Shri D.S. Umbarkar E.E. for N.A. admitted the claim for refund of E.D., and confirmed that E.D. is already refunded to complainant. N.A. have admitted the fact that they have complied Hon'ble Ombudsman order filed on record and not disputed the payment of interest. N.A. representative agreed for payment of interest of 9.5% as per ombudsman order on record, as against 18% claimed by the complainant. N.A. representative has further agreed to provide statement of E.D. to complainant within seven days.

6. On going through the complaint on record , consideration of reply filed on record and taking into consideration deliberations by complainant's representative as well as N.A. representative, forum finds considerable facts in the submission of complainant that they are entitled for interest on refund of amount of

electricity duty. Forum thinks it just & proper that awarding 9.5% interest on the amount of electricity duty refunded to the complainant would meet ends of justice. Interest is payable from the date of recovery till the date of adjustment. With these observations forum proceeds to pass following unanimous order.

ORDER

1. The complaint No.12/2017 is here by partly allowed.
2. The order of IGRC is modified to the extent that the N.A. MSEDCL is directed to refund amount of electricity duty recovered from the complainant with interest at 9.5% P.A. from the date of recovery till making adjustments in the future bills.
3. Parties to bear their own cost.
4. The N.A. MSEDCL to submit compliance report to forum within period of one month from this order.

Sd/
Member/Secretary

Sd/
Member (CPO)

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,
Office of Electricity Ombudsman (Nagpur)
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni, Nagpur-440 013.
Phone : 0712-2596670

No.CGRF /AKZ/ AKL/ 77

Dt. :- 26 .04 .2017

TO,

The Nodal Officer/Executive Engineer
O&M Rural Division, MSEDCL, Akola.

The order passed on 26/04/2017 in the Complaint No. 12/2017, is enclosed herewith for further compliance and necessary action.

Secretary,
Consumer Grievance Redressal Forum,
MSEDCL, Akola Zone, Akola.

Copy fwc to:-

1. Superintending Engineer O&M Circle, MSEDCL, Akola.
2. M/s SANNA Ginning Factory, Songiri Road, Barshitakli, Distt. Akola.