

**CONSUMER GRIEVANCE REDRESSAL FORUM,  
AMRAVATI ZONE, AKOLA.**

*“Vidyut Bhavan”,  
Ratanlal Plots,  
Akola: 444 001  
Tel.No.2434476*

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Dt- 19/07/2013

**Complaint No.62/2013**

**Complaint in the matter of grievance about levying and recovery of Security  
Deposit,Electricity Disconnection etc.**

*Quorum :*

Shri T.M.Mantri,	<b>Chairman</b>
Shri P.B.Pawar,	<b>Secretary</b>
Shri A.S.Gade	<b>Member</b>

- 1) M/s Harishankar Cots Spin, Akot (Con.No.318739026650) ... Complaint No. 62  
Dist.Akola

...VS...

Superintending Engineer, MSEDCL O&M Circle,Akola ... Respondent

***Appearances:***

Complainant Representative: Mr. D.M.Deshpande

Respondent Representative: Shri A.S.Kulkarni, Assistant Manager (F&A)

1 The complainant has approached this Forum alleging that it has received notice dated 21/6/2013 in respect of demand of Rs. 42,100/- towards the additional security deposit. Prior to that, bill for the said amount was received towards the security deposit and payment thereof was not made in consultation with the concerned Junior Engineer, as it was illegal.

2 It is stated that the complainant is already having the security deposit of Rs. 2,56,765/- and it is so mentioned in the electricity bills. Reference has been made to rulings and communication dated 17<sup>th</sup> January,2013 and has

given the details of the bills received mentioning the period of bill and the bill amount worth Rs. 5,67,590/- with monthly average bill of Rs.2,33,576/-.

3 Reference has been made to the Regulation 11.2 of Supply Act Code 2005 with further averments that accordingly the complainant is required to keep security deposit upto the tune of average of one month's bill. So also alleged that the billing cycle is of one month. According to the complainant the security deposit of Rs. 2,56,765/- is even higher than the security deposit amount required as per the Provisions of Indian Electricity Act. In view thereof, the notice of N.A. is illegal and required to be squashed, alongwith costs. Further, it is alleged that, though as per the provisions, 30 days notice is required to be given, however in the notice, 15 days time is given. Issuing of illegal noticed and demanding higher security deposit is causing hardship to the complainant. Alongwith complaint, copy of notice and copies of electricity bills came to be filed.

4 The complainant has also sought for interim relief in respect of apprehended disconnection. As per notice, ad-interim order came to be passed by this Forum upon considering the available material as well as the statutory provisions.

5 Notice as per the Regulations sent to the N.A. for submitting reply to the complaint. The reply came to be filed stating that the complainant is a HT Consumer and notice dated 21/6/2013 came to be issued demanding additional security deposit for Rs. 42,100/-. As per the MERC Circular No.175 details have been given as to how it has been worked out. It is stated that, in fact, the complainant's bill is for 2½ months, however the billing has been done for the period of 17/1/2013 to 28/2/2013 and 28/2/2013 to 31/3/2013,

by treating the bill of 2 months. Upon considering the involved facts and when manual working of security deposit was worked out it was noticed that the security deposit with the N.A. is sufficient and there is no need for the complainant to pay additional amount towards the security deposit. Even the complainant has been informed by letter of 15/7/2013 about cancellation of the said bill for additional security deposit as well as the notice issued. It has been further stated by giving assurance that in future such mistake will not be committed and caution to that effect will be taken.

6 The matter was then posted for arguments. Heard Mr. D.M.Deshpande, the learned representative for complainant and Shri A.S.Kulkarni, Assistant Manager for the N.A. licensee. It is clear from the record that the N.A. has promptly dealt with the matter and on realizing about the commission of mistake has withdrawn the notice under question as well as the bill for the additional security. The complainant is agreeing with such submissions. The learned representative for the complainant has fairly submitted during the course of arguments that, in view of realization of mistake and immediate rectification thereof, the complainant is satisfied and not pressing for the costs, as claimed in the complaint. According to the learned representative of N.A. licensee it was mathematical/clerical mistake and immediately after the grievance made by the complainant, it has been rectified. This Forum, while considering the submissions made on behalf of the complainant that direction be given to the N.A. for not committing such mistakes. Suffice to say that, in reply itself, it has been stated that precaution will be taken so that in future no such mistake could occur. In view thereof, it is not necessary to give any directions as tried to be pressed on behalf of the complainant. On the basis of

above observations and conclusions, this forum proceeds to pass the following unanimous order:

**ORDER**

1) As the N.A. has cancelled the additional bill of Rs. 42,100/- of security deposit as well as the notice dated 21/6/2013, the complaint is disposed off with no order as to costs.

Sd/-  
(A.S.Gade)  
Member

Sd/-  
(P.B.Pawar)  
Secretary

Sd/-  
(T.M.Mantri)  
Chairman