

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

No: CGRF/AZ/AUR/ U / 233 / 2009 / 67

Date :-

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

Sub:- Forwarding of grievance in respect of M/S Dhoot Compack
Limited, Gut No.100, Paithan Road, Pharola, Aurangabad.
(Consumer No. 493159040380)

Dear Sir,

Please find enclosed herewith a copy of the grievance
application received by the Forum from Forwarding of grievance in
respect of of M/S Dhoot Compack Limited, Gut No.100, Paithan Road,
Pharola, Aurangabad..

You are requested to submit your para wise reply on the grievance
at the time of hearing. The hearing in the matter will be held on
24.07.2009 at 11= 30 Hrs. onwards.

Encl: As above

Member/Secretary
CGRF(AZ) MSEDCL
Aurangabad.

Copy to:-
M/S Dhoot Compack Limited
Gut No.100, Paithan Road,
Pharola, Aurangabad

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM ,
AURANGABAD ZONE, AURANGABAD**

Case No. CGRF/AZ/AUR/U /233/ 2009/67

Date of Filing: 09.07.2009

Date of Decision: 31.07.2009

M/S Dhoot Compack Limited
Gut No. 100, Paithan Road
Aurangabad.

Consumer Complainant.

V/s

Maharashtra State Electricity Distribution Co.Ltd.
Rural Circle, Aurangabad.

Corum:	Shri V.A.Hambire	President
	Shri H.A.Kapadia	Member
	Shri P.A.Sagne	Member/Secretary

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

The consumer complainant has filed this grievance through its president in Annexure "A" before this Forum on **09.07.09** under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was registered in this office at Sr.No. 233/2009/67 and was forwarded to the Nodal Officer, (Adm.) in the office of the Superintending Engineer, O&M Rural Circle, Aurangabad and hearing in the matter was kept on 24.07.09

The grievance of the consumer, in brief, is as stated below..

1. The consumer has taken HT supply for his factory situated at Gut No.100, Village Pharola, Paithan Road, Aurangabad and are paying the monthly bills issued by the Distribution Licensee (hereinafter referred to as D.L.) regularly. The consumer contended that he has received monthly bill for March 2009 on 4.4.09 which was for period of 38 days. Due to additional number of days, he has to pay Rs.118647 excess amount. In addition to this amount he was asked to pay Rs. 86400/ towards security deposit which he has paid. The consumer in its grievance contended that the D.L. has wrongly demanded additional security deposit from him and considering the last 12 months bill he has paid excess deposit amount of Rs. 453899/ The consumer requested the Forum to direct the D.L. to refund the excess amount paid by him towards security deposit.
2. On 24.07.09, i.e. on the date of first hearing , consumer representative Shri Bhandarkar was present. Nodal officer S.B.Chiwande was present on behalf of D.L. She filed her reply on the grievance of the consumer and stated that after calculating the amount of security deposit on the basis of units consumption of last twelve months, additional security deposit was demanded from the consumer and is correct. Consumer stated that he has paid excess security deposit and also excess amount at the rate of 24 paisa per unit on account of 38 days consumption. Nodal officer was directed to submit the bill details of the consumer for last twelve months and also the reason for charging few units at the rate of 24 paisa per unit. The next hearing was kept on 28.7.09.
3. On 28.07.09, consumer representative Shri Bhandarkar and Nodal officer S.B.Chiwande were present. Nodal officer filed copy of the circular No.95 issued by the Director (operation) in regards to demand of additional deposit from the consumers of D.L. She further stated that as per software provided , the additional deposit amount was calculated and demanded form the consumer. Consumer stated that he has already paid the additional security deposit by way of bank guarantee and is ready to pay revise bank guarantee of the revise amount. Forum heard both parties at length and the matter was kept for decision.

On going through the documents placed before us, we observed that the D.L. has issued demand for additional security deposit on the basis of consumption for last twelve months and not as per bill amount of that period.

The Maharashtra Electricity Regulatory commission's regulation No.11, in this regards, clearly provides that D.L. is authorized to collect additional security amount from the consumer based on average of its last twelve months bill amount. The Regulation also provide that if the security deposit amount paid by consumer is in excess of 10 % of the average consumption of last 12 months , same is not require to be refunded. In the above matter D.L. has collected security amount on the basis of consumption and not on the basis of bills of last 12 months which is not as per Regulations laid down by M.E.R.C.

In view of above observations, we are of the opinion that consumer is entitled to get refund of additional security deposit paid by him. The average bill amount of consumer for the period April 2008 to March 2009 works out to Rs. 13,61 lacs. The consumer has paid Rs.18.20 lacs by way of bank guarantee towards security deposit amount. Considering the variation in monthly bills of the consumer Forum direct D.L. to collect total additional security deposit of Rs. 15.00 lacs. The consumer is free to pay the security deposit amount by any approved mode of payment.

Hence the Following order:

ORDER

1. The Distribution Licensee is directed to collect Rs. 15 lacs towards security amount from the consumer.

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

Inform the parties and close the case.

(H.A.Kapdia)
Member

(P.A.Sagne)
Member Secretary

V.A.Hambire
President

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ औरंगाबाद.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.-

No. Case No. CGRF/AZ/AUR/R /233/ 2009/67

Date:-

To,

- 1. M/S Dhoot Compack.Ltd.
Gut No.100, Pharola Village,
Paithan Road , Aurangabad.*
- 2. The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M , Rural Circle, M.S.E.D.C.L.
Aurangabad.*

Subject :- Grievance Case No.CGRF/AZ/AUR/R/233/2009/67

Dear Sir,

Find enclosed herewith a copy of order passed by the Forum in the case mentioned above.

The consumer, if not satisfied with the decision of the Forum , is at liberty to make a representation to the Electricity Ombudsman, the contact details of whom is as under, within a period of 60 days from the date of this order.

Encl: As above

*Copy to:-
The Chief Engineer(AZ)
MSEDCL,Aurangabad.*

*Member/Secretary,
CGRF(AZ) MSEDCL,
Aurangabad.*

*Contact Details of Electricity Ombudsman:
The Electricity Ombudsman
Maharashtra Electricity Regulatory Commission
606-608, Keshava Building Bandra-Kurla Complex,
Mumbai 400 051 (Tel.No. 022-26590339)*

