

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

**Case No. CGRF/ AZ/ AUR/ U/ 612 / 2017 / 05
Registration No. 2017010077**

Date of Admission 23.01.2017
Date of Decision 01.03.2017

M/s. Indus Tower Limited,
2010 E Core , 2nd Floor,
Marvel Edge, Viman Nagar,
Pune, 411014

COMPLAINANT

(Con. Nos. 490011766886, 490011866805,
490011578231, 490011767963, 490011699631,
490011743509, 490012282513, 490012114858
& 490012194916)

VERSUS.

The Executive Engineer (Administration)
Nodal Officer, O/O Superintending Engineer ,
Urban Circle, MSEDCL, Aurangabad.

RESPONDENT

CORAM

Shri Dr.Bhaskar G. Palwe

Chairman

Shri Uttam M. Urkude,

Member/Secretary

Shri Vilaschandra S.Kabra

Member.

CONSUMER GRIEVANCES REDRESSAL DECISION

The applicant M/s. Indus Towers Limited having its Office at 2010 E Core , 2nd Floor, Marvel Edge, Viman Nagar, Pune, 411014 is a consumer of Mahavitaran having Cons. Nos. 490011766886, 490011866805, 490011578231, 490011767963, 490011699631, 490011743509, 490012282513, 490012114858 & 490012194916 at various locations in Aurangabad Urban Circle. The applicant has filed complaint against the respondent i.e. Executive Engineer, Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure – ‘A’ on 23.01.2017.

The brief details of the complaint are as under.

The electricity supply to the consumer at the sites mentioned in the chart below is already surrendered. The applicant has applied for refund of Security Deposit along with required documents to the concerned SDO on dates as shown in column “Date of Ack” in the chart mentioned below. There is no compliance pending with the applicant. As per MERC directives SOP, the said activity is ought to be completed within the 30 days from the date of receipt of the application for closure of account. The concerned SDO have shown very passive approach towards the consumer’s grievance, despite of all directives, rule, regulations, guidelines and SOP regulations.

The matter was informed to IGRC, Aurangabad Urban Circle on 01.09.2016, no hearing is carried out by IGRC till date. No order is given. No refund is received. The applicant has requested the Forum to arrange to refund the Security Deposit and to take further needful action as per SOP,

rules and regulations for their connections as mentioned in the Chart and requested to pay the compensations towards harassment and mental agony .

SR. No.	Consumer No.	BU Name	SD Pending (Rs.)	Date of Ack.
1	490011766886	4394 Power House	12790	24-Aug-16
2	490011866805	4394 Power House	6500	24-Aug-16
3	490011578231	4394 Power House	30640	24-Aug-16
4	490011767963	4672 Walunj	12500	6-Sep-16
5	490011699631	4673 Shahaganj	19780	12-Sep-16
6	490011743509	4673 Shahaganj	13500	30-May-15
7	490012282513	4674 CIDCO	22520	24-Aug-16
8	490012114858	4675 Garkheda	19180	27-May-15
9	490012194916	4675 Garkheda	31010	27-May-15

Say of Executive Engineer, Nodal Officer, Aurangabad Urban Circle.

The respondent Executive Engineer, MSEDCL, Urban Division-II, Aurangabad vide his letter dated 01.02.2017 has stated that cheque No. 582953 amounting to Rs. 50,690/- was prepared on dtd. 14.12.2015, in favour of M/s. Indus Tower Limited for consumer No. 490022114858 & 490012194916, but no any representative of M/s. Indus Towers attended to the Division Office for collecting this cheque and no any address was given by concerned to send this cheque to their office through courier.

The cheque was stale three times. The refund proposal of consumer No. 490012282513 from CIDCO Sub Division did not receive. Therefore the Security Deposit amount could not be refunded within 30 days.

Observations of the Consumer Grievance Redressal Forum.

- 1) If the respondent had prepared only the cheque No. 582953 for Rs. 50,690/- on dtd. 14.12.2015, in favour of M/s. Indus Tower Ltd. only for two connections i.e. 490022114858 & 490012194916, but the same was neither handed over nor the said amount was adjusted in other bills of the existing connections of the complainant & no any action was taken for the remaining connections. Moreover the respondent failed to prove by documentary evidence that the said cheque was prepared & ready for handing over. No action has been taken by respondent during the process of the grievance.
- 2) The respondent has not refunded the Security Deposit within 30 days from the date of application/acknowledgement for the closure of account. As per Maharashtra Electricity Regulatory Commission (The standards of performance of Distribution Licensees, period for giving supply and determination of compensation) Regulations 2014, Appendix 'A' 8(ii), the consumer is required to pay final dues from the date of receipt of application for closure of account within 30 days, in class I cities and urban area, hence the complainant is required to be compensated by paying Rs. 100/- per week or part thereof for delay.

- 3) The Respondent i.e. MSEDCL has caused harassment and mental agony to the consumer. The consumer has to travel always from Pune to Aurangabad to follow up the proposal, therefore the applicant, is required to be compensated by paying Rs. 5000/-.

In view of the above submissions made by complainant, Respondent and observations of the CGRF, the Forum passes the following order.

ORDER

- 1) As per Maharashtra Electricity Regulatory Commission (The standards of performance of Distribution Licensees, period for giving supply and determination of compensation) Regulations 2014, Appendix 'A' 8(ii), the respondent shall pay Rs. 100/- per week or part thereof for delayed period for refund of Security Deposit to the complainant.
- 2) The MSEDCL shall pay Rs. 5000/- compensation towards harassment and mental agony to the complainant.
- 3) The MSEDCL shall take action against the employee responsible for delay in refund of Security Deposit to the complainant.
- 4) Compliance of the order shall be communicated within 30 days.

Sd/-
Dr. Bhaskar G. Palwe
Chairman

Sd/-
Uttam M. Urkude
Member / Secretary

Sd/-
Vilaschandra S. Kabra
Member