

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

**Case No. CGRF/ AZ/ AUR/R/ 613 / 2017 / 06
Registration No. 2017010078**

Date of Admission 23.01.2017
Date of Decision 01.03.2017

M/s. Indus Tower Limited, COMPLAINANT
2010 E Core , 2nd Floor,
Marvel Edge, Viman Nagar,
Pune, 411014
(Con. Nos. . 496170386049, 496850002911, 495540149100,
496430445451, 495540182158 & 493720610899)

VERSUS.

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

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. 496170386049, 496850002911, 495540149100, 496430445451, 495540182158 & 493720610899 at various locations in Aurangabad Rural Circle. The applicant has filed complaint against the respondent i.e. Executive Engineer, Nodal Officer, MSEDCL, Rural 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 05.11.2016, 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	496170386049	7234 Sillod	20000	16-June-15
2	496850002911	7234 Sillod	30000	16-June-15
3	495540149100	7234 Sillod	2980	16-June-15
4	496430445451	7234 Sillod	28000	23-Aug-16
5	495540182158	7234 Sillod	24000	25-Aug-16
6	493720610899	2232 Paithan	20000	08-Sep-16

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

The respondent Executive Engineer, MSEDCL, O&M Division, Kannad vide his letter dated 01.02.2017 has stated that

- 1) The new prayer has been made by applicant for refund of security deposit for consumer No. 495540182158 & 493720610899 before Hon. CGRF which is not made before IGRC.
- 2) As per the report submitted by Executive Engineer, MSEDCL, Kannad Division vide Letter No. EE/KND/Rev/314 dtd. 01.02.2017 (Copy attached herewith) the application towards refund of security deposit of following consumer under Sillod Sub Division is under process and refund will be given effected within 45 days.

..4/-

- 1) 496170386049 S. D. Amount Rs. 20000/-
 - 2) 496850002911 S. D. Amount Rs. 30000/-
 - 3) 495540149100 S. D. Amount Rs. 2980/-
 - 4) 496430445451 S. D. Amount Rs. 28000/-
 - 5) 495540182158 S. D. Amount Rs. 24000/-
- 3) That the refund of security deposit of consumer No. 493720610899 under Paithan Sub Division is also under process and will be given within 30 days.

Observations of the Consumer Grievance Redressal Forum.

- 1) The respondent has not refunded the Security Deposit within 45 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 45 days, for rural areas, hence the complainant is required to be compensated by paying Rs. 100/- per week or part thereof for delay.
- 2) 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/-.
- 3) The respondent failed to prove by documentary evidence that the refund of Security deposit is made to complainant. No action has been taken by respondent during pendency of the grievance.

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