

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 283

Hearing Dt. 18/08/2009

**In the matter of not updating security deposit on energy bill and not
awarding interest thereof**

M/s. Sundram Textiles

- Appellant

Vs.

MSEDCL, Bhiwandi

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S.L. KulKarni, Chairman, CGRF, Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri Praveen Thakkar,

C - On behalf of Respondent

- 1) Shri S.V. Kale, Ex. Engr., MSEDCL., Bhiwandi.
- 2) Shri G.B. Patil, Astd. Engr. Bhiwandi Circle.

ORDER

Shri Praveen Thakkar registers his grievance in this Forum on dt. 04/08/2009 as he could not get any response from ICGRU, Bhiwandi accordingly the hearing was held on 18/08/2009. When both parties were present Shri Praveen Thakkar represented his case him self (here in after referred as to Appellant). He stated that he is having 3 Phase electric connection under Consumer no.11310027131 at Shop No.2, zenith compound, Kalyan road near Aziz BiBi Masjid, Bhiwandi for Power Loom with the sanctioned load of 3 HP. He had taken this sanctioned in year 1984 and paid security deposit amounting Rs.1,500/- vide receipt no.451490 dt 01/08/1984 and subsequently Rs.200/- vide receipt no.3679982 dt 26/07/1993. But the said deposit amount is not being shown right from the beginning by MSEDCL (the then MSEB) He has also been deprived of the interest on the said deposit amount.

Appellant brought this to the notice of the MSEDCL officials vide his letter dr.05/05/2009 but he could not get any response, further also when he approached to ICGRU of MSEDCL Bhiwandi on dt. 04/06/2009 he again not get any response as yet and hence this is the reason for approaching this Forum directly.

Appellant therefore pray for immediate correctional steps as updation of paid security deposit on his electricity bills and payments of up to date interest (i.e. from 01/08/1984 & next paid on 26/07/1993) And also take suitable action against the person as per SOP consider his first request application i.e. 05/05/09 He further added that he should be awarded compensation towards the harassment caused to him for Rs.10, 000/-(Ten thousand only).

On the behalf of utility Shri. S.V. Kale Ex. Engineer. Bhiwandi Circle represented the case (hence in after referred as to respondent) He stated that the appellant's claim for interest is at the outset is time barred being beyond 2 years under provision 6.6 of MERC Regulation 2006. and hence should not be consider.

The respondent reiterated that the receipts produced by the consumer are more than 24 years old & 15 years old respectively. In respect of receipt no. 451490 dt 01/08/1984 it is submitted that this money receipt is not pertaining to security deposit, it is energy deposit paid by the consumer as indicated on money receipt during that period. As regards to another receipt it is submitted that, the name of consumer is not appearing on the said money receipt, even the consumer house no mention on the consumer's record & mentioned on the money is receipt differing hence whether this money receipt pertains to this consumer, is doubtful. Even this consumer has never informed to MSEB or MSEDCL office for not showing SD amount on his energy bills.

The respondent further stated that as regards to effect in any change on the consumer's bill, consumer has not produced the original money receipt for the confirmation & apart from that the consumer's name is not appearing on the said money receipt moreover consumer's house no mention on the consumer's record & mentioned on the money receipt is differ hence SD amount of Rs. 200/- has not been updated on the consumer's bill.

The responded added that while going through the above facts it is clear that the consumer has not made any claim from last 24 years & there is no harassment cause to the consumer hence consumer's claim for compensation is not justified.

In view of above facts and circumstances the Forum may declare dispute as time barred & the same kindly be dismissed.

The documents on record and submission of both the parties revealed that the appellant claim for interest on deposit paid by him in year 1984 and in 1993 as let as on 05/05/2009. Which is after a considerable lapse of period but Forum fill that it was duty of the Utility to update its own record and award the interest on paid security deposit from time to time to it's consumer. Hence the Appellant demand is upheld.

The Utility's say that the appellant's receipt shown do not indicate consumer's name (however consumer no is correct) and house number and hence the matter was not attended to, Forum fills that this is a flimsy reasons. The Utility should have taken due cognizance in such a long period of the matter and consumer deserved relief and appellant should be granted interest on his deposit from the day one of his payments at the prevailing rates as applicable from time to time.

The appellant demand for penalizing the staff/officials of Utility respondent cannot be consider, as there is no provision in the regulations (SOP).

The very fact that, the appellant has approached the respondents once in last 24 years indicate that the respondents had not harassed the appellant and therefore does not created any ground for grant of compensation.

The respondent should take expeditious steps to grant interest to the appellant by verifying the original receipts preserved by the appellant with him.

The compliance of above orders should be reported to this Forum from the date of receipt, within a month.

Both the parties be informed accordingly.

No order as to cost.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 25th August 2009.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

**S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP**

**R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP**