

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
(Established under the section 42 (5) of the Electricity Act, 2003)  
**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.**  
**JALGAON ZONE**  
Office of the  
Consumer Grievance Redressal Forum  
**AjanthaChauphuli, Old M.I.D.C.**  
**Jalgaon 425 003**

No./CGRF/JLGZ/DL Circle/Indus/C.No. 26-2016-17/ **No 0 0 0 4 5** Date: **03 MAY 2017**  
(BY R.P.A.D.)

Date of Receipt : 06/03/2017  
Date of Decision : 02/05/2017

To.

1. M/s. Indus Towers Ltd.,  
2010, E-core, 2<sup>nd</sup> floor,  
Marval Edge, Viman Nagar,  
Pune 411014

2. Executive Engineer & Nodal Officer,  
Maharashtra State Electricity Distribution Co LTD.  
Circle office, Dhule.

3. Executive Engineer,  
Maharashtra State Electricity Distribution Com. Ltd.  
Division office, Dhule (U)/Dhule(R)/Dondaicha

Complainant

Distribution Company



**DECISION**

M/s. Indus Towers Ltd, (hereafter referred as the Complainant) is having electric connections from the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Distribution Company) for the telecom towers at various locations in Maharashtra. The complainant has faced problems in getting refund of the Security Deposits for some connections in the Jalgaon Circle and filed a complaint regarding this with the Internal Grievance Redressal Committee of the Maharashtra State Electricity Distribution Company Ltd. But not satisfied with the decision of the IGRC, it has submitted a representation to the Consumer Grievance Redressal Forum in Schedule "A". The representation is registered at Serial No. 26 on 06/03/2016.

It was decided to admit this case for hearing after consulting the Forum. The matter was fixed for hearing on 07.04.2017 at 01.00 p.m. in the CGRF Office, Jalgaon and a notice to that effect was sent to the complainant and the concerned officers of the Distribution Company. A copy of the grievance was also forwarded with this notice to the Nodal Officer, MSEDCL, Circle Office, Jalgaon for submitting para wise comments to the Forum on the grievance within 15 days under intimation to the consumer. The copy of this notice was also endorsed to the Superintending Engineer, Circle Office, Jalgaon and Executive Engineer, Chalisgaon/Pachora/Bhusawal Division.

Shri L. D. Thakur, Executive Engineer, Dondaicha Division, Dhule Rural Department, Mr. S.P. Sarag, Executive Engineer, Dhule Rural Division and Shri R.P.Waghchoure, Additional Executive Engineer, Dhule Urban Division represented the Distribution Company during the hearing. Shri D.S.Talware represented the the complainant.

**Consumer's Representation in Brief:**

1. The complainant had connections as per following details:

Consumer no.	Billing unit	SD Amount	Date of Ack	Division
91768000714	Dhule CCO	20000/-	06-Aug-15	Dhule-U
94818202894	Shirpur-I	15000/-	06-Mar-15	Dondaicha
86868342350	Sakri	13500/-	06-Dec-15	Dhule-R

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86794002519	Pimpalner	13000/-	15-Jun-15	Dhule-R
86418000114	Pimpalner	14500/-	24-Aug-16	Dhule-R

- The electricity supply to these sites as mentioned in the table above are already surrendered.
- Then they applied for refund of Security Deposit along with all required documents to the concerned SDO on dates as shown in column "Date of Ack" in the above table. There were no queries. No compliance is pending with them. As per MERC directives SOP, the said activity is ought to be completed within thirty (30) days from the date of receipt of application for closure of account. The concerned SDOs have shown very passive approach towards consumer grievances despite of all directives of rules, regulations, guidelines and SOP Regulations.
- For the complaint submitted on 30/08/2016 to the IGRC, Dhule, hearing was carried out on 22/11/2016 and order is passed on date 30/11/2016. They are not satisfied with the order. They have submitted all the required documents including the indemnity bond for loss of receipt. But no refund is received till date. The compensation as per SOP regulation is not passed and paid.

#### Relief Sought:-

- Arrange to refund the Security Deposit to us at the earliest of above consumers.
- Arrange to take further needful action per SOP, rules & regulations (Appendix-A, Sr.no.7 (III)).

#### Arguments from the Distribution Company:

The Executive Engineer, Dhule Rural Division has submitted a written reply to the Forum by letter dated 06/04/2017, Executive Engineer, Dhule UCR Division by letter dated 06/04/2017 and the Executive Engineer, Dondaicha Division by letter dated 06/04/2017 which state as under:

#### Dhule Rural Division

- A. पिंपळनेर उपविभागांतर्गत खालील ग्राहक क्र. व पत्ता नमुद असणारे दोन ग्राहकांचे प्रकरणे आहेत.

अ.क्र	ग्राहक क्र.	ग्राहकाचे नाव	पत्ता	अनामत रक्कम (रु)
१	०८६४१८०००११४		गट नं.१३३/५-१ बल्हाणे	१४५००/-
२	०८६७९४००२५१९	मे. इंडस टॉवर्स लि	हाऊस नं २२५ बोफखेल	१३०००/-

वरील दोन्ही ग्राहकांचे अनामत रक्कम परतावा खालील प्रमाणे करण्यात येत आहे.

अ.क्र	ग्राहक क्र.	अनामत रक्कम (रु)	चेक क्र.	दिनांक
१	०८६४१८०००११४	१४५००/-	४९१६६१	३१.०३.२०१७
२	०८६७९४००२५१९	१३०००/-	४९१६६२	३१.०३.२०१७

सदर चेकपत्र क्र. कअ/प्रा/धुळे/१०७८ दि.३१.०३.२०१७ नुसार मे. इंडस टॉवर्स लि प्रतिनीधी यांना देण्यात आला आहे.

- B. साद्री उपविभागांतर्गत ग्राहक क्र. ०८६८६८३४२३५० अन्वये पोस्ट भामेर या पत्त्यावरील एक प्रकरण आहे. सदर ग्राहक क्र. ची अनामत रक्कम रु.१३०००/- अशी असून सदर ग्राहक क्र. वर रु. ३८.८७ एवढी थकवाकी आहे. त्यामुळे सदर ग्राहक रु.१२९६०/- एवढ्या अनामत रक्कमेचा परतावा मिळण्यास पात्र आहे.
- C. मा.अंतर्गत तक्रार निवारण मंच धुळे मंडळ (IGRC) यांचा आदेश क्र. SE/DHL/TECH/IGRC/7720 Dt.30.11.2016 नुसार मे. इंडस टॉवर्स लि यांनी ग्राहक क्र.०८६८६८३४२३५० साठीच्या अनामत रक्कम परतावा मिळणेकरीता आवश्यक असणारे कागदपत्र जसे की, अनामत रक्कम भरल्याची मुळ पावती अथवा इंडेन्टीटी बॉन्ड साद्री उपविभाग यांच्याकडे सादर केलेला नाही. असे उपकार्यकारी अभियंता साद्री उपविभाग यांनी पत्र क्र. उपवाअ/साद्री/बिलीग/१३७५ दि.०४.११.२०१६ नुसार कळविलेले आहे.
- D. मे. इंडस टॉवर्स लि यांनी आज दि.०७.०४.२०१७ रोजी इंडेन्टीटी बॉन्ड सादर केला आहे म्हणून सदर ग्राहक क्र. ०८६८६८३४२३५० साठी अनामत रक्कम रु.१२९६०/- चा दि.३१.०३.२०१७ रोजीचा चेक क्र.४९१६६४ त्यांना हस्तांतरीत करण्यात आला आहे.

#### Dhule UCR Division :

- M/s Indus Tower Ltd. Having consumer no. 091768000714 is permanently disconnected (P.D) in the month of Sep 2013. After that M/s Indus Tower Ltd. Applied for refund of security deposit at MSEDCL CCO&M Sub Division without producing of original money receipt or indemnity bond. Therefore Sub-Division has already informed to consumer to

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- produce the original money receipt or indemnity bond to process the security deposit application.
2. Also after the final order of Hon.IGRC Dhule vide L.No. 7720 Dt.30.11.2016 AEE CCO&M Sub Div has again informed to consumer vide letter No. AEE/CCO&M/Dhule/Billing/33 dt.07.01.2017 to produce the original money Receipt or Indemnity Bond to process for refund of security deposit. But till date there is no response from M/s Indus Tower Ltd. Regarding original money receipt or indemnity bond.
  3. The amount of PD final bill of Rs. 500/- has been transferred from Security deposit. Hence the balance Security deposit amount is Rs.19500/- and MSEDCL will refund the amount of balance security deposit to M/s Indus Tower Ltd. After receiving the original money receipt or indemnity bond as per rule.
  4. Therefore the delay in refund of Security deposit is from consumer side, due to non submission of original money receipt or indemnity bond (in the absence of original money receipt)

**Dondaicha Division:**

शिरपुर उपविभाग-१ अंतर्गत इंडस टॉवर लिमिटेड शिरपुर ( ग्राहक क्र. ९४८१८२०२८९४ ) यांचे विज जोडणीचे सुरक्षा ठेव रू १५०००/- (अक्षरी-रू. पंधरा हजार रूपये मात्र) आहेत.  
 आदेशानुसार उपकार्यकारी अभियंता शिरपुर -१ यांनी मा.व्यवस्थापक उर्जा विभाग इंडस टॉवर लिमिटेड पुणे यांना सुरक्षा ठेव परत मागणे बाबत पत्रव्यवहार करण्यात आले आहे.  
 परंतु इंडस टॉवर लिमिटेड यांच्या कडून कोणत्याही प्रकारचे आवश्यक दस्तावेज (Indemnity Bond) अदयाप प्राप्त झालेला नाही त्यामुळे उपकार्यकारी अभियंता शिरपुर उपविभाग -१ यांच्या कडून विभागीय कार्यालय दोंडाईचा येथे सुरक्षा ठेव परत मागणी प्रस्ताव सादर करता आले नाही.

**Action by IGRC :**

1. The complainant submitted the grievance to the Internal Grievance Redressal Cell, Jalgaon, Circle office on.30/08/2016 . The hearing was conducted on 22/11/2016
2. Under letter No. 7720 dated. 30/11/2016,the IGRC took following decision:
  - ✓ From the Facts stated by consumer representative and MSEDCL representative the forum in the concurrence MSEDCL rules and regulation circulars.
  - ✓ Indus tower has to submit the original receipt of quotation paid if not possible indemnity bond stating that the original firm quotation receipt has been misplaced, to respective subdivisions.
  - ✓ Subdivisions have to forward the SD refund proposals to division within 7 days by adjusting final bills of connections after receipt of the Indemnity bond. SDO pl note, if done within time period SOP will be implemented.
  - ✓ Divisions have to refund the respective Security deposits within 60 days after receipt of the proposals.

**Observations by the Forum:**

1. After the surrender of the connections , the complainant has applied to the concerned Sub-Divisions of the Distribution Company as per following details along with the indemnity bond:

Consumer no.	Sub-Division	Amt of SD	Date
91768000714	Dhule CCO	20000/-	06-Aug-15
94818202894	Shirpur-I	15000/-	06-Mar-15
86868342350	Sakri	13500/-	06-Dec-15
86794002519	Pimpalner	13000/-	15-Jun-15
86418000114	Pimpalner	14500/-	24-Aug-16

But no action was taken for refund of the Security Deposits.

2. The Executive Engineer , Dhule Rural Division has informed the Forum during hearing that the cheques for the refund of the following consumers are ready and he handed over the same to the representative of the complainant

Consumer no.	Amt of SD Refund	Cheque No.	Dated
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