



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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K/E/761/918 OF 2013-14

Date of Grievance : 05/02/2014
Date of Order : 13/05/2014
Period Taken : 98 days

IN THE MATTER OF GRIEVANCE NO. K/E/761/918 OF 2013-14 OF M/S. AGRAWAL FASTNERS PVT. LTD. GALA NO.16, KAVERI, TUNGAR IND. COMPLEX, SATIVALI, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT REFUND OF SECURITY DEPOSIT WITH INTEREST.

Agrawal Fasteners Pvt. Ltd.,
Gala No.16, Kaveri, Tungar Ind. Complex,
Sativali, Vasai (E)-401 208,
District-Thane. (Hereinafter referred to as Consumer)
Consumer No. **00217027789**.
V/s.

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Exe.Engineer, Vasai Road [E] S/Dn. (Hereinafter referred to as Licencee)

Appearance :- For Consumer - Shri Harshad Sheth, Consumer's Representative
For Licensee - Shri Satish Umbarje, Dy. Exe.Engineer
Shri Vaze, Asst. Accountant

1] Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003.(36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is

referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission. Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.' Hereinafter referred 'SOP' for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2005'.

2] Consumer is having supply of LT-V category and is having consumer No. **00217027789**. Consumer approached this Forum on 5/2/2014, aggrieved by the act of Licencee, not refunding the ASD of Rs.4,900/-, and interest thereon of Rs.5,220/- and total to the tune of Rs.10,120/-. On receiving this grievance along with it's accompaniments, it was sent to the Nodal Officer, vide this Forum Letter No.EE/CGRF/Kalyan/ 052 dated 6/2/2014. Consumer approached this Forum as ASD was not refunded. It is contended that consumer has tried best to have this refund which is not easily conceded. Consumer opted for seeking information under the RTI Act about the deposit noted in FI register as it was not having original receipt of deposit and deposit was not reflected in the bills. In RTI reply was given about FI register available and extract of it was provided. Though consumer submitted necessary bond as required amount was not refunded, hence consumer complained to Dy. Executive Engineer on 28/11/2013 and to IGRC also on that day, but there was no any compliance. Hence consumer approached this Forum on 5/2/2014.

3] In response to the letter of this Forum, Officers of Licencee appeared, filed reply on 3/3/2014. It was contended that matter is being processed FI register, pertains to this old SD traced out and proposal is submitted to the Higher Authority for giving sanction to refund the said amount on the basis of FI register and bond of consumer.

4] Matter was taken up for final hearing . Both sides made submissions, in tune with their contentions. Officers of Licencee placed on record the letter of Executive Engineer, Vasai Divn. Dated 25/4/2014, according sanction for refund of SD amount with interest. It is further submitted that as per said letter refund will be given. Said letter was shown to the representative of consumer who conceded for the amount of refund shown therein which is of Rs.4,900/- towards ASD and interest of Rs.4,933.47 Ps. Accordingly, now, grievance is to be disposed off directing the Licencee to pay off this amount to the consumer showing adjustment as prayed towards the dues of consumer.

In the result, this grievance application is to be allowed.

5] This matter could not be decided within prescribed time as the Officers of Licencee were in the process of refunding of ASD with interest obtaining sanction from Higher Authority on the basis of FI register and bond given by consumer. Accordingly, Officers of Licencee, made final submissions placing on record on 28/4/2014 letter of Executive Engineer giving sanction vide his letter dated 25/4/2014.

Hence, the order.

ORDER

Grievance of the consumer is hereby allowed.

Licencee is directed to refund the ASD of Rs.4,900/- and interest thereon due to the tune of Rs.4,933.47 Ps and total Rs. 9,833.47 ps.

Consumer had submitted indemnity bond with the Licencee. And Licencee to refund the said amount within one month from the date of this order.

Consumer has prayed that refund be adjusted against the dues outstanding, hence this amount be adjusted as prayed or refund it by cheque. Compliance of it be reported within further 15 days.

Kalyan

Dated: 13/5/2014

I agree

I agree

(Mrs.S.A.Jamdar)
Member
CGRF,Kalyan

(Chandrashekhar U.Patil)
Member Secretary
CGRF,Kalyan

(Sadashiv S.Deshmukh)
Chairperson
CGRF, Kalyan

NOTE

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606/608, Keshav Bldg, Bandra Kurla Complex,Mumbai 51”.

- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

- c) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.