



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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K/E/762/919 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/762/919 OF 2013-14 OF M/S. AUDLER FASTNERS LTD., GALA NO.18, KAVERI, TUNGAR IND. COMPLEX, SATIVALI, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT REFUND OF SECURITY DEPOSIT AND ADDL. S.D. WITH INTEREST.

Audler Fasteners P.Ltd.,
Gala No.18,Kaveri, Tungar Ind. Complex,
Sativali, Vasai (E)-401 208,
District-Thane. (Hereinafter referred to as Consumer)
Consumer No.002170279754 LT VB &
002170271941-LT II.
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-VB category and is having consumer No. 002170279754 and is having consumer No. 002170271941-for LT II supply. Consumer approached this Forum on 5/2/2014, aggrieved by the act of Licencee, not refunding the SD of Rs.15,600/-, ASD of Rs.23,400/-, interest thereon of Rs.39,001/- and total to the tune of Rs.78,001/- towards consumer No. 002170279754 and not refunding SD of Rs.3,550/- and credit balance of Rs.85,566.69 ps. towards consumer No.002170271941-LT II. On receiving this grievance along with it's accompaniments, it was sent to the Nodal Officer, vide this Forum Letter No.EE/CGRF/Kalyan/ 054 dated 6/2/2014.

3] In response to the letter of this Forum, Officers of Licencee appeared, filed reply on 5/5/2014 and placed on record letter dated 25/4/2014 of Executive Engineer. Officers of Licencee conceded for refund of SD and credit balance. It is further submitted that in respect of consumer No.002170279941, it will be treated as PD with effect from April 2014.

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, accordingly sanction for refund of SD and ASD amounts with interest for consumer No. 002170279754. 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.15,600/- towards SD, Rs.23,400/- towards ASD and interest of Rs.37,321.80 ps. total Rs.76,321.80 ps. Officers of Licencee in their reply dated 5/5/2014, submitted towards consumer No.002170279941 that SD of Rs.3,550/- and credit balance of Rs. 73,715.99 ps. will be refunded to the consumer, giving effect to the P D from April 2014. Consumer's representative for both these above consented and hence now, grievance is to be disposed off directing the Licencee to pay off said amount to the consumer showing adjustment as prayed, towards the dues.

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 SD 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 on 6/5/2014, 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 1] the SD of Rs.15,600/-, ASD. 23,400 and interest thereon due to the tune of Rs.37,321.80 ps. and total Rs. 76,321.80 ps. towards consumer No. 002170279754. 2] The SD of Rs.3,550/- credit balance of Rs.73,715.99 towards consumer No.002170271941, giving effect to PD for said connection in April 2014.

Consumer had submitted indemnity bond with the Licencee for LT-VB connection . He is to submit bond for LT-IIB connection within 15 days. Licencee to refund the aforesaid amount within one month from the date of this order.

Consumer has prayed that refund be adjusted against the dues of Spl. Fasteners and Andier Fasteners. Hence amount be adjusted by Licencee as prayed if possible or refund it by cheque to the consumer. 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.