



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

NO. K/E/1572/1881 of 2019-20

Date of registration : 24/04/2019

Date of order : 19/06/2019

Total days : 56

IN THE MATTER OF GRIEVANCE NO. K/E/1572/1881 OF 2019-20 OF M/S INDUS TOWERS LIMITED, 2010, E-CORE 2ND FLOOR, MARVEL EDGE, VIMAN NAGAR, PUNE -411014. REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT REFUND OF SD.

M/S Indus Towers Limited,
2010, E-Core 2nd Floor,
Marvel Edge, Viman Nagar,
Pune -411014

(Consumer No. 021512065888) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.S.D.Sabale, AA, Ulhasnagar-II, S/dn.

For Consumer - Absent

[Coram- ShriA.M.Garde-Chairperson, Shri A.P.Deshmukh-Member Secretary
Mrs.S.A.Jamdar- Member (CPO)].

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. [Electricity Supply Code and other conditions of supply Regulations 2005]. 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 & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

- 2) Consumer herein M/S Indus Towers Limited is having commercial connection at Ulhasnagar consumer contends that the electricity supply of its mobile tower site is already surrendered. Application for refund of security of Rs.18,180/- along with all documents submitted on 22/12/2017. The concerned SDO have shown very passive approach towards Grievance Application despite or all directives of rules, regulations, guidelines and SOP Regulations consumer now demands refund of S.D. along with interest at the rates declared by MSEDCL from time to time at the earliest. Also demands compensation as per SOP regulation item Sr.no.8 (ii) of Appendix - 4.
- 3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/174 dt.24/04/2019 to which Licensee appeared and filed reply on 04/06/2019.
- 4) Distribution Licensee in its reply contends that, application for refund of S.D. was received to their office. The applicant consumer no. 021512065888/5 is having S.D. amount of Rs.12,008/- in its bill. There is one more consumer no. 021512007438 in the same name is having arrears of Rs.1,84,200/- the S.D. amount of Rs.12,008/- is adjusted against the arrears amount of another consumer no. (021512007438) so there is no security deposit balance in the consumer no. 021512065888/5. Hence the S.D. amount cannot be refunded and the application is filed. The letter in this regard is already forwarded to consumer on dt.23/05/2019 and is kept on record.
- 5) During the hearing the Consumer Representative remain absent for four consecutive hearing Distribution Licensee filed reply and argued. We had gone through the record filed by both parties we feel that Distribution Licensee has already adjusted the amount against the arrears of another consumer no of same company hence the S.D. cannot be refunded.
- 6) As far as SOP/compensation is concerned Distribution Licensee has already adjusted the S.D. amount and consumer has not made any application of SOP within 60 days from cause of action in view of SOP regulation 12.2 hence SOP cannot be granted.

Hence the order

ORDER

Grievance application of consumer is hereby rejected.

Date: 19/06/2019

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

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan

(A.M.Garde)
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, KeshavBldg, BandraKurlaComplex,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

- c) 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”

- d) 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.