

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

“Vidyut Bhavan” Ratanlal Plot, Akola. Tel No 0724.2434475

ORDER

Dt:- 08.07.2019

Complaint No :- 27 of 2019 Dated 15.05.2019

**In the matter of grievance pertaining to refund of infrastructure cost
Rs. 4,01,277/- with 9.65% interest.**

Quorum

Dr.V.N.Bapat- Chairman

Shri.D.M.Deshpande, Member (CPO)

1. M/S Chirag Gold Fingers :- Complainant
Prop. Bishan Navadram Sachwani
Plot No-N-190 Phase-IV MIDC Akola
Consumer No. HT-31
2. M/S Sheela Laghu Udyog :- Complainant
Prop. Mahendra Goindram Sachwani
Plot No-N-190 Phase-IV MIDC Akola
Consumer No - 310242006185
c/o Shri Ashish S. Chandarana,
flat no. 302 Satguru Villa Apartment
Sahkarnagar Akola -444004.

.....Vrs.....

Executive Engineer, :- Respondent
MSEDCL, O. & M.
Urban Division Akola.

Appearances

1. Shri. Ashish S. Chandarana - Representative for Complainant
2. Shri. M. N. Ansingkar - Dy, Executive Engineer Akola
MSEDCL,

1) On being aggrieved by the fact of not providing any remedy by IGRC Akola on complaint dated 05/03/2019 the complainant's M/S Chirag Gold Fingers and M/s Sheela Laghu Udyog Akola approached this Forum through their authorised representative Shri Ashish S. Chandarana under clause 6.4 of MERC CGRF and OMBUDSMAN Regulation 2006 for resolving the grievance.

2) Complainant's case in brief is that on application for new Industrial connection of 27 HP each NA MSEDCL sanctioned estimate under NON - DDF CCRF refundable scheme amounting to Rs. 4,93,228.51/- for giving connection to both the complainants wherein complainants were required to erect the infrastructure and NA MSEDCL to refund cost through energy bills from 2nd billing cycle after release of connection. According to complainants though the industrial connections were released on 07/07/2017 NA MSEDCL abnormally delayed the refund of infrastructure cost. According to complainants as refund is delayed beyond 22 months by NA MSEDCL the interest at the rate of 9.65% p.a. is payable to complainants on estimated cost as agreed by MSEDCL in the complaint grievance of M/S P Four Texfile and M/s Mahi Industries before CGRF Akola.

Complainants prayer :

a. Direct MSEDCL to refund infrastructure cost of Rs. 4,01,277/- with interest of 9.65%.

3) Reply came to be filed by NA MSEDCL on 31/05/2019 belatedly and subsequently revised by NA MSEDCL on 21/06/2019. Revised reply submitted on 21/06/2019 vide EE/AKL/Teh/2223 dated 21/06/2019 is taken on record as per request from NA MSEDCL . According to NA MSEDCL it is fact on record that joint estimate under Non-DDF CCRF scheme was sanctioned under refundable scheme and industrial connections were released on 07/07/2017. According to NA MSEDCL WCR submitted on 02/04/2019 was not initiated for refund as submitted without original invoice copies in first instance but after confirming inspection of material by additional Executive Engineer subdivision 2 having verified with originals the proposal for refund amounting Rs. 3,69,982/- is sent for approval to chief Engineer MSEDCL Akola and on approval the amount will be credited in the energy bills of both the complainants with interest at the rate allowable on security deposit of consumers in next billing cycle.

4) Shri. Ashish S. Chandarana learned representative for Complainant and Shri. M. N. Ansingkar, Dy. Executive Engineer MSEDCL were present for the hearing held on 26/06/2019. Shri. M. N. Ansingkar Dy, Executive Engineer filed on record the letter no. 2246 dated 25/06/2019 requesting Forum to allow to withdraw from record their earlier reply dated 30/05/2019. Shri. Ashish S. Chandarana learned representative for Complainant accepted the revised reply filed by NA MSEDCL and urged Forum to resolve the grievance as proposed by NA MSEDCL.

5) Having heard the parties and after considering material placed on record Fourm allowed NA MSEDCL to withdraw their earlier reply dated 30/05/2019 and considered revised reply dated 25/06/2019 for resolving the grievance, according to which NA MSEDCL proposed to refund Rs. 3,69,982/- towards infrastructure cost with interest at 9.65% which is allowable on security deposit and Forum is of the view that NA MSEDCL should be directed to refund the cost with 9.65% interest in the ensuing bill. The Forum also noted the concurrence expressed by the complainant's representative to the amount of refund proposed by NA that is Rs. 3,69,982/-

With these observations, Forum proceeds to pass following unanimous order.

ORDER

1. That the Complaint No. 27 of 2019 Dated 15/05/2019 is hereby partly allowed.
2. That the NA MSEDCL is directed to refund Rs 3,69,982/- towards infrastructure cost with interest at the rate of 9.65% per annum payable from 08/08/2017 till refunded in equal proportion in the ensuing energy bill payable by both the complainants.
3. No order as to the cost.
4. That the NA MSEDCL is directed to submit a compliance report to this Forum within one month of this order.

S/d/-
Member (CPO)

S/d/-
Chairman

Contact details of Electricity Ombudsman appointed by
MERC (CGRF & EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,
Office of Electricity Ombudsman (Nagpur)
Plot No.12, Shrikrupa, Vijaynagar,
Chhaoni, Nagpur-440 013. Phone:- 0712-2596670

No. CGRF/AKZ/Akola/152

Dt:- 08.07.2019

To,
The Nodal Officer
Executive Engineer,
MSEDCL, O. & M.
Urban Division Akola.

The order passed on **08.07.2019** in the Complaint No.
27 of 2019 is enclosed herewith for further compliance and necessary action.

Secretary,
Consumer Grievance Redressal Forum,
MSEDCL, Akola Zone, Akola.

Copy s.w.r. to:-

- 1) Chief Engineer, MSEDCL, Akola Zone, Akola.
- 2) Superintending Engineer MSEDCL, O. & M. Circle, Akola.

Copy to :-

- 1) M/S Chirag Gold Fingers Prop. Bishan Navadram Sachwani Plot No.
N-190 Phase-IV MIDC Akola.
- 2) M/S Sheela Laghu Udyog Prop. Mahendra Goindram Sachwani Plot No-N-190
Phase-IV MIDC Akola c/o Shri Ashish S. Chandarana, flat no. 302 Satguru Villa
Apartment Sahakar nagar Akola 444004.