

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 203 OF 2022

In the matter SD Refund and correction of sanctioned load during clubbing

Siddhachal Co-Op. Housing Societies Federation Ltd. Appellant

V/s

Maharashtra State Electricity Distribution Co. Ltd., Wagle Estate (MSEDCL) ... Respondent

Appearances: -

Appellant : Hemant Hatkar, Representative

Respondent: 1. Vinay Kale, Addl. Executive Engineer, Wagle Estate Dn.
2. Anil Mhaske, Addl. Executive Engineer, Kolshet S/Dn.

Coram: Vandana Krishna [I.A.S. (Retd.)]

Date of hearing: 1st February 2023

Date of Order: 3rd February 2023

ORDER

This Representation was filed on 30th December 2022 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 29th November 2022 passed by the Consumer Grievance Redressal Forum, MSEDCL Bhandup Zone (the Forum).



(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



2. The Forum, by its Order dated 29.11.2022 has partly allowed the grievance application in Case No. 233 of 2022. The operative part of the order is as below:-

- “2. The Applicant is directed to apply online, within 8 days for refund of Security Deposit, with all relevant documents as per the Rules and Regulations of MSEDCL.
3. The Respondent is directed to take immediate action on refund of SD after receipt of online application from the Applicant.
4. The Respondent is directed to club the load of the permanently disconnected connections on live connection as their own.
5. The Respondent is directed to provide interest on security deposit against four installations since date of connection if not given earlier.”

3. Aggrieved by the order of the Forum, the Appellant filed this representation. The e-hearing was held on 01.02.2023 through video conference. Both parties were heard. The Appellant’s written submission and arguments during the hearing in brief are as below:

(i) The Appellant has common utility connections mainly for Club House for recreational activities of the Occupants from 21.10.2000, at Siddhachal, Pokharan Road -2, Vasant Vihar, Thane. The detail of the connections are as below:-

- a. Consumer No. 000011901093 having connected load of 50 KW (PD)
- b. Consumer No. 000011901085 having connected load of 50 KW
- c. Consumer No. 000011901077 having connected load of 50 KW
- d. Consumer No. 000011901115 having connected load of 50 KW (PD)

(ii) The application for refund of security deposit (S.D) had been registered on 20.03.2020 in the office of the Respondent for the Permanently Disconnected (P.D) connections in October 2019. Out of four connections, the Respondent had clubbed the two installations as per the provisions given in Respondent’s Departmental Circular No. 110 of 2010. It is mandatory and compulsory for the Respondent to club the sanctioned load accordingly.

- (iii) The Appellant is entitled to avail the benefit of interest on security deposit held by the Respondent as per Circulars issued every year to that effect. But it is not known whether interest has been paid since the date of connection.
- (iv) The Appellant approached the Forum on 23.03.2022. The Forum, by its Order dated 29.11.2022 has rightly allowed the grievance; however, the Respondent has not fully executed it in true spirit; hence, the representation was filed.
- (v) The Appellant prays that the Respondent be directed.
- to refund the security deposit of Rs.55,180/- and Rs.50,000/- against consumer number 000011901093 and 000011901115 by following online procedure of the Respondent.
 - to correct the sanctioned load of the two installations which had been clubbed in 2019 by the Respondent.
 - to provide an I.T. Statement of interest on security deposit against the four installations from the date of connection, since it is not paid till today. The PD installations also need to get interest, as security deposit is still with MSEDCL.

4. The Respondent by its letter dated 16.01.2023 has submitted its written reply. The hearing was held on 01.02.2023. The written submission along with its arguments are stated in brief as below: -

- The Appellant, Siddhachal Societies, has four LT consumers from 21.10.2000 for common utility at Siddhachal, Pokharan Road -2, Vasant Vihar, Thane.
- The common utility connections are tabulated as below:-

Table

| Sr. No. | Consumer No. | Sanctioned load (KW) | Contract Demand (KVA) | Remarks |
|---------|--------------|----------------------|-----------------------|--|
| 1 | 000011901093 | 50 | 63 | PD in 2019 |
| 2 | 000011901085 | 50 | 63 | SL updated as 100 KW and CD updated as 100 KVA |
| 3 | 000011901115 | 50 | 63 | PD in 2019 |
| 4 | 000011901077 | 50 | 63 | SL updated as 100 KW and CD updated as 100 KVA |

- (iii) Two connections having consumer no. 000011901085 and 000011901077 (Sanctioned Load 50 KW & Contract Demand 63 KVA each respectively) were permanently disconnected in the year 2019. After clubbing the load of two PD connections, sanctioned load and contract demand of the PD connections are already updated or transferred on to the live connections, and accordingly live consumers bills are generated as tabulated above. Copies of bills generated for the month of Dec 2022 are kept on record. There was a technical limitation for adding this load after clubbing of connections. This issue was taken up with the Corporate Office for advice and modification in software. The Corporate Office has responded correctly. Further, a provision for Additional Load/ Contract Demand is also incorporated in the “NC Portal”, whereby an employee can add load in case of MSEDCL clubbing cases. This was informed to the Appellant from time to time.
- (iv) After the permanent disconnection arrears amount is adjusted in the Security Deposit by the system, and Refund of the balance Security deposit of PD consumer No 000011901093 (Amt Rs. 45163.72), & consumer No 000011901115 (Amt Rs.40003.60) is approved vide application ID 285463, 285508 respectively, the same will be credited in the consumer’s bank account shortly through the Head Office. Copies of approved applications are kept on record.
- (v) Interest on Security Deposit was credited from time to time in the consumers bills. The statement of all four consumer numbers is kept on record.
- (vi) Further, interest on security deposit of PD consumers will be processed after the date of Refund of Security deposit, for applying the correct period.
- (vii) The Forum, by its Order dated 29.11.2022 has partly allowed the grievance application. The operative part of the order is in Para 2.
- (viii) This representation is filed only for compliance of the Forum’s order and the Appellant is not aggrieved by the Forum’s order. The Appellant was kept informed about the status of compliance from time to time.
- (ix) In view of the above, the Respondent requested to reject the present Representation.

Analysis and Ruling:

5. Heard the parties and perused the documents on record. The Appellant, Siddhachal Societies, has four LT consumers from 21.10.2000 for common utility at Siddhachal, Pokharan Road -2, Vasant Vihar, Thane. Out of these four connections, two connections were clubbed together with live consumers. The details are tabulated in Para 4(ii) of this order. The Appellant has accepted that load clubbing is done properly.

6. During the hearing, the Respondent assured that the interest on security deposit of the PD consumers will be processed after the date of Refund of security deposit, for applying the correct period.

7. The Appellant has unnecessarily and hastily filed this representation when the Appellant was not aggrieved by the Forum's order. The representation has been made only for compliance of the Forum's order, leading to unnecessary waste of administrative time and resources.

8. The representation is disposed of accordingly.

Sd/-
(Vandana Krishna)
Electricity Ombudsman (Mumbai)