

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-IV-109-2012.13
Complainant	Jabir Abdulsattar Tildi, C/o Raj Motors, Ahmedabad Highway, Godhra, Dist : Panchmahals.
Respondent	Shri T C Vyas Deputy Engineer of Godhra, MGVCL.
Date of hearing	15.02.2013 at Godhra

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 02.02.2013 regarding refund of Security Deposit.

On 15.02.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein whereas complainant Jabir Abdulsattar Tildi, was absent and Shri T C Vyas Deputy Engineer of Godhra, appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has consumer No.17706 / 07025 / 5
2. The complainant had given application dated 21.2.12 to permanently disconnect his vij supply and its fee Rs.100/ was deposited on 23.2.12. Though MGVCL has disconnected his power supply connection and installed materials, they have not refunded Security Deposit amount.
3. The complainant had also complained to the Division Office of MGVCL but the office replied that deposit amount is forfeited and refund cannot be given.

The complainant contended that MGVCL has not refunded their Security Deposit amount even after disconnection of their single phase vij supply before about one year. .

The Respondent contended that applicant had paid Rs.600/ against Security Deposit. The complainant had applied for single phase disconnection (NGRP) which was disconnected(PDC) on 29.03.2012. As the complainant has not submitted original Money Receipt (MR), MGVCL has not paid Security Deposit. However, as per CGL, latest arrears of Rs.579.45 is in the name of complainant. After receipt of original receipt, the Security Deposit will be refunded after deducting the arrears.

The Forum Members present at the hearing considered contention of both the parties and perused the records. MGVCL has informed to the complainant vide their letter dated 11.02.2013 & telephonically also that the complainant has to produce original Money Receipt to process refund of Security Deposit. It is also informed hat final payment will be done after deducting total arrears payable.

In view of the above discussion, the Forum is of the opinion that if the complainant is not in a position to submit original MR of Security Deposit of Rs.600/ he has to submit affidavit on stamp paper to MGVCL to get Security Deposit back. MGVCL has not informed/guided to the complainant about the submission of original MR at the time of receipt of PDC fee to get refund of Security Deposit so MGVCL can not ask for payment of arrears with DPC i.e. Rs.579.45 but they can recover principle amount of arrears of last bill of December 2011 which is Rs.399.45. Also as per natural justice, the SD is with MGVCL and any arrears at the time of PDC could have adjusted and if any shortfall to that amount DPC can be calculated.

ORDER

Forum directs the complainant Shri Jabir Abdulsattar Tildi that in case of non-availability of original Money Receipt, submit an affidavit on stamp paper to MGVCL to process for the refund of Security Deposit. The forum also directs the MGVCL that after receipt of original MR or affidavit, refund Security Deposit with applicable

interest after adjusting principle amount of arrears i.e. Rs.399.45 according to the last energy bill of December 2011.

(M J Vaidya)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>