

# ELECTRICITY OMBUDSMAN, RAJASTHAN JAIPUR

## Case No. : EOR 433/2018

In the matter of representation filed before the Electricity Ombudsman, Rajasthan, Jaipur by

M/s Maan Rice Mill,  
C/o Shri Satya Prakash Nuwal  
2, New Colony  
Bundi -323001

Appellant

v/s

Jaipur Vidyut Vitran Nigam Limited,  
Vidyut Bhawan, Janpath,  
Jaipur – 302 005

Respondent

## Represented by

Appellant: Shri Trilok Nuwal, Proprietor

Respondent: XEN(Div -I), JVVNL, Bundi,  
Ms. Nitika Sud, Advocate

Coram  
G.R.Choudhary  
Electricity Ombudsman,  
Rajasthan

## **Order**

**Date: 21.6.18**

### **1. Registration of the case**

The Appellant filed a representation on 9.5.18 before the Electricity Ombudsman, Rajasthan which was registered on same day at Case No. EOR – 433/2018.

## 2. Brief of the case

The Appellant was having an electricity connection in SIP category (A/c No. 0398-0328) for sanctioned connected load of 10 HP, at Bundi under AEN (A-I), JVVNL Bundi in Bundi district of the Respondent. The minimal facts leading to this representation are narrated hereunder:

- i. The Appellant is having grievance regarding non refund of security amount and non issue 'No Dues Certificate' after permanent disconnection of his electricity connection.
- ii. The Appellant approached the Sub-Divisional Level Grievance Redressal Settlement Forum of the Respondent at Bundi (**Forum** in short) for redressal of his grievance.
- iii. The AEN(A-I) Bundi did not put up the grievance before the Forum and returned it to the Appellant vide letter dated 19.4.18 stating that grievances regarding refund of securities are not being settled by the Forum. Therefore the Appellant filed the representation before the Electricity Ombudsman for redressal of his grievance.

## 3. Representation

In the representation along with documents submitted, the Appellant stated as under:

- I. The Appellant stated that his electricity connection was permanently disconnected on 4.12.17 and he deposited the last bill issued and applied to the AEN concerned for refund of the amount deposited against security and arrange to issue "NO Dues Certificate". As per rules the Respondent has to refund the security amount to the Appellant but they did not refund the same.
- II. The Appellant stated that he filed his grievance before the sub-divisional forum with registration fee (INR 50/-) but the Forum did not hear the grievance and AEN returned the grievance through letter dated 19.4.08 along with fee by saying that grievances regarding security matters cannot be heard by the Forum.
- III. The Appellant having A/c No. 0398-0328 deposited INR 8080/- on account of enhanced security against his connection on 30.6.93 (vide receipt No. 59 and book No. 70379) and INR 1920/- at the time of taking connection in year 1977. Total amount deposited on account of security is INR 10000/-
- IV. After permanent disconnection of supply as per rule the security amount has to be refunded to the Appellant when last/ final bill was deposited by him along with 'No Dues certificate'. It is also essential as per RERC (Standards of Performance for Distribution Licensees) Regulations, 2014.
- V. The relief sought from The Ombudsman:
  - a) To direct the Respondent to refund the security amount INR 10000/- and to issue 'No Dues Certificate'.

## 4. Processing of the case

- 1) The notices were served on dated 9.5.18. A copy of the representation received from the Appellant was forwarded in terms of the Regulation 7(1) of the RERC (Settlement of Disputes by Electricity Ombudsman) Regulations, 2010 (Electricity Ombudsman Regulations in short), to the Respondent and the Forum for sending reply / comments/ factual report, so as to reach to the Electricity Ombudsman by 6.6.18 along with necessary supporting documents and the proof of serving a copy of the same to the Appellant.

- 2) The Appellant was also asked to furnish his comments, if any, on the Respondent's reply, to the Electricity Ombudsman by 15.6.18 along with a proof of serving a copy of the same to the Respondent.

**5. Reply and further submissions :**

- 1) The Respondent furnished the reply to the representation on 6.6.18 along with a proof of serving a copy of the same to the Appellant.
- 2) No reply/ comment on the Appellant's representation were received from the Forum.
- 3) The Respondent's reply has been summarised as under:
  - a. The Respondent stated that the Assistant Engineer (A-1), Raniji Ki Bawdi issued electricity connection to the Appellant bearing account No. 0398-0328 and thereafter in Dec'17 the Proprietor of the firm Sh.Trilok Nuwal deposited final bill amount with the request for permanent disconnection as such his connection was disconnected on 4.12.17. After permanent disconnection he submitted representation regarding refund of security deposit.
  - b. After receiving the representation, the Respondent constituted a Settlement Committee in which the Appellant directed to produce original receipts of security deposit amount as per the provisions, but he did not file any original receipt before the Committee, therefore, the Committee could not take any decision regarding his grievance.
  - c. The Assistant Engineer (A-1), Bundi had issued 'No Dues Certificate' to the Appellant vide Letter No. 959 dated 25.5.18. As per averments made by the Appellant, earlier at the time of issuing electricity connection, the Appellant deposited a sum of INR 1920/- and thereafter the Appellant deposited a sum of Rs.8080/- vide Receipt No. 59 dated 30.06.1993 but both the original receipts lost by the Appellant. Although the Appellant submitted a Photostat copy of the Receipt dt. 30.06.1993 before the Respondent and as per the available documents submitted by the Appellant, the Respondent proceed in the matter and vide Letter no.961 dated 25.05.18 recommendation was given regarding refund of security deposit to the Appellant and the Respondent shall refund the security amount to the Appellant.
  - d. Therefore the representation filed by the Appellant is not maintainable in the eyes of law and deserve to be dismissed with cost because 'No Dues Certificate' has already been issued by the Respondent and security amount shall be refunded to the Appellant.
- 4) On 14.6.18 a mail received (hard copy received on 20.6.18) from the Appellant in which he stated that the matter has been resolved by the Respondent, hence he wants to withdraw the case EOR 433/2018.

**6. Order on Representation**

In view of the Appellant's request as above the grievance has already been resolved and as such the Electricity Ombudsman allows the Appellant to withdraw the said representation. Accordingly, the case registered at No. EOR – 433/2018 stands settled and disposed off with no orders as to cost.

(G.R.Choudhary)  
Electricity Ombudsman,  
Rajasthan