

Sub : In the matter of initiating proceeding against MP Audyogik Kendra Vikas Nigam (I) Ltd. under 'Interest on Security Deposit' Clause of MPERC (Security Deposit) (Revision-I) Regulations, 2009.

Petition No. 05/2013

ORDER

(Date of hearing 12th March, 2013)

(Date of order 13th March, 2013)

Pithampur Audyogik Sangathan,
231, Saket Nagar,
Indore (MP) - 452018. - Petitioner

V/s

MP Audyogik Kendra Vikas Nigam Ltd.,
(MPAKVN (I) Ltd.),
For Special Economic Zone (SEZ),
Pithampur. - Respondent

Shri Gautam Kothari, President of Pithampur Audyogik Sangathan appeared on behalf of the petitioner.

Shri Sandeep Aole, Advocate appeared on behalf of the respondent.

2. The petitioner, Pithampur Audyogik Sangathan has filed this petition in the matter of initiating proceeding against MP Audyogik Kendra Vikas Nigam (I) Ltd. under 'Interest on Security Deposit' Clause of MPERC (Security Deposit) (Revision-I) Regulations, 2009.

3. **Facts of the case:**

- (a) The petitioner is a representative Association of Industries of Industrial units situated in Pithampur Area and Special Economic Zone at Pithampur.
- (b) The respondent is a deemed electricity distribution Licensee for SEZ Pithampur Industrial Area under the Electricity Act, 2003. The respondent is supplying electricity to the petitioner's member units in SEZ Area Pithampur for which they have taken security deposits from the industries.
- (c) The Licensee is liable to pay interest on security deposits and to give credit in the monthly electricity bills. For the period of delay in payment of interest on security deposit, the Licensee is liable to pay an interest on the amount of interest on security deposit payable to the consumers at the

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rate of 1% per month simple interest, in addition to other penalties, as may be imposed by Appropriate Authority.

- (d) The respondent has paid interest up to 31st March, 2009 to their Electricity Consumers in SEZ and stopped payment of interest or adjustment in this regard, in the bills thereafter and are liable to pay interest at bank rate alongwith 1% simple interest on the interest on the amount of security deposits.
- (e) In light of the above submissions, the petitioner has prayed that the Commission may start proceedings against the respondent MP Audhyogik Kendra Vikas Nigam (I) Ltd. under "Madhya Pradesh Electricity Regulatory Commission (Security Deposit) (Revision-I) Regulations, 2009 {RG-17(1) of 2009} to ensure compliance of order of the Commission.

4. The case was listed for hearing on 12.03.2013.

5. During the hearing on 12.03.2013, Counsel for the respondent submitted that they have already paid interest on security deposit to some of the consumers and balance consumers are being paid in installments. He also sought three months' time for payment of the balance amount.

6. During the hearing, the petitioner submitted that he will be satisfied if the respondent pays the balance amount at an early date.

7. On hearing the petitioner and the Counsel for the respondent, the Commission directs the respondent to make the payment of balance amount of interest on security deposits by 30.04.2013 and report compliance to the Commission by 04.05.2013.

Ordered accordingly,

sd/-
(Alok Gupta)
Member

sd/-
(A.B.Bajpai)
Member

sd/-
(Rakesh Sahni)
Chairman