

# ग्राहक गा-हाणे निवारण मंच

महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित  
औरंगाबाद परिमंडळ, औरंगाबाद.

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Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240-2336172

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Case No: CGRF/AZ/U/159/2008/80/

Date:-

To,

**The Executive Engineer ( Administration)  
O/O Superintending Engineer,  
O&M Urban Circle , M.S.E.D.C.L.,  
Aurangabad.**

Sub:- Forwarding of grievance in respect of M/s pulp Conversion  
Industries Pvt.Ltd., Ltd.,F/32, MIDC Chikalthana,  
Aurangabad.-431 006  
(Consumer No. 490019003806) **Regarding Refund of ASC**

**Dear Sir**

Please find enclosed herewith a copy of the grievance application  
received by the Forum from M/s Bedse Paper Mills (P) Ltd.,F/32, MIDC  
Chikalthana, Aurangabad.-431 006

You are requested to submit your para wise reply on the grievance  
within 15 days from the date of receipt of this letter along with. related  
documents.

**The hearing in this matter is kept on 19/12/208 at 13=30 Hrs.**

**Member/Secretary**  
Consumer Grievance Redressal Forum,  
MSEDCL (AZ) Aurangabad.

**Encl As above.**

Copy to :  
M/s Bedse Pulp Conversion Industries Pvt. Ltd.,  
F/32, MIDC Chikalthana,  
Aurangabad.- 431 006

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL  
FORUM  
AURANGABAD ZONE, AURANGABAD**

( Case No: CGRF/ AZ / R / 159 / 2008 / 80 )

**Date of Filing:** 04.12.2008

**Date of Decision:** 31.01.2009

**M/S Bedse Paper Conversion  
Plot No. F-32, MIDC, Chikalhana  
Aurangabad  
( Consumer No. 490019003806 )**

**Consumer Complainant.**

V/s

**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO.  
LTD. Urban Circle Aurangabad.**

**The Distribution Licensee.**

**Coram:**

**Shri V.A.Hambire** **President**

**Shri H.A.Kapadia** **Member**

**Shri P.A.Sagane** **Member secretary**

Sub:- Grievance under the Maharashtra Electricity Regulatory Commission, (Consumer Grievance Redressal Forum and Ombudsman) Regulations 2006.

The consumer complainant M/S Bedse Paper Concession, plot No. F-32 MIDC, Chikalhana, Aurangabad. has filed his grievance in Annexure "A" before this Forum on **04.12.08**, under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was forwarded to the Nodal Officer, (Adm.) in the office of the Superintending Engineer, O&M Urban Circle, Aurangabad and hearing in the matter was kept on 19.12.08

The grievance of the consumer, as per consumer, is as stated below :-

1. The consumer has taken high tension electricity supply from the Distribution Licensee (hereinafter referred to as D.L.) for his factory situated at plot No. F/32, MIDC, Chikalthana, Aurangabad. The consumer contended that in spite of the orders passed by the Hon'ble Maharashtra Electricity Regulatory Commission (hereinafter referred to as "the Commission") in case No.72/2007 dt.20.06.2008 and its letter of dt.21.02.2008, the D.L. has not refunded the ASC and IASC charges wrongly collected from him during the period October 2006 to April 2007. The consumer further contended that he has filed an application to the Supdt Engineer urban Circle of the D.L. for refund of the said amount. Since no cognizance of his application was taken by the D.L., he has filed this grievance in the Forum and requested the Forum to direct the D.L. to refund the excess amount as per order passed by the commission.
2. On 19.12.08 , i.e. on the date of first hearing, consumer representative Shri Krishnan was present. Nodal Officer was absent. The hearing was therefore postponed and was kept on 06.01.09.
3. On 06.01.2009, consumer representative Shri Krishnan was present. Nodal Officer Shri Rathore filed application for adjournment of hearing stating that since the issue of refund of ASC/IASC to all consumers pertains to their head office, the reply will be submitted on receipt of same. Since M/S Kaygaon Paper Mills ,Tal.gangapur ,Dist.Aurangabad has already filed its grievance application ( case No.CGRF/AZ/R/147/68) on the same issue in this Forum and required documents were filed in the said case , Forum directed both the parties to file any additional documents, if any, relating to the issue of refund of excess amount collected under ASC / IASC by the D.L. before 10.01.09 and the matter was kept for decision.
4. We have gone through the grievance filed by the consumer, reply filed by the Nodal Officer. We have also gone through the order No.72 of 2007 dt.20.06.2008 and order No.70 of 2008 dt.10.12.2008 passed by the Hon'ble Commission on this issue. On going through the above documents , we observed that the D.L. has collected excess amount towards costly power charges from various category of consumers under the head of ASC & IASC charges.

5. The commission in the matter of MSEDCL petition for approval of Annual Performance Review for FY 2007-2008 and tariff for FY 2008-209 (case No.72/2007) has directed the D.L. to refund the excess amount collected under the head of ASC & IASC charges. . The consumer has filed his grievance in the Forum on the basis of the above said order passed by the Hon’ble Commission. We further observed that the said order of refund of ASC & IASC amount passed by the Hon’ble Commission pertains to all category of consumers and as the exact quantum of amount to be refunded to the consumer complainant is not known and no guidelines or methodology has been clarified in the said order. On going through the order No.70 of 2008 dt.10.12.2008, passed by the Hon’ble Commission., we observed that the commission has directed the D.L. to file separate petition before it indicating the category wise refund, total amount to be refunded and amount required to be added to the ARR of the subsequent year on account of this excess amount of ASC /IASC charges wrongly collected .

In view of above observation, even though it is admitted fact that the D.L. has collected ASC & IASC charges in excess and the same are to be refunded to the consumers of respective category , however since the refund methodology is yet to be decided by the Hon’ble commission , the consumer complainant will have to wait till the issue is decided by the appropriate authority.

As the issue of refund of excess amount of ASC & IASC charges is before the Hon’ble Commission, we hereby dismiss the grievance filed by the consumer. The consumer is free to file his grievance before this Forum, if the excess amount is not refunded within stipulated time limit mentioned in the order that would be pass by the Hon’ble Commission against the petition filed by the D.L.

The D.L. & the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case.

**( H.A.Kapadia)**  
**Member**

**( P.A.Sagane)**  
**Member Secretary**

**(V.A.Hambire)**  
**Chairman**  
**Case No. 159 / 80**  
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**ग्राहक गा-हाणे निवारण मंच**  
**महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित**  
**औरंगाबाद परिमंडळ, औरंगाबाद.**

जुने पावर हाऊस परिसर.डॉ.बाबासाहेब आंबेडकर रोड, मिल कॉर्नर, औरंगाबाद. - ४३१ ००१, दुरध्वनी व फॅक्स -०२४० - २३३६१७२.

**Case No. CGRF/AZ/AUR/U /159/ 2008/80/**

**Date:-**

**To,**

- 1. The Executive Engineer (Adm.)  
O/O Superintending Engineer  
O& M , Urban Circle, M.S.E.D.C.L.  
Aurangabad.**
- 2. M/S Bedse Paper Mills (P) Ltd.,  
F/32, MIDC, Chikalthana,  
Aurangabad.  
(Consumer No.490019003806)**

**Sub: Grievance incase No. CGRF/AZ/AUR/U/159/2008/80**

**Please find enclosed herewith a copy of order passed by  
the Forum in the case mentioned above.**

The consumer, if not satisfied with the decision of the Forum ,  
is at liberty to make a representation to the Electricity Ombudsman,  
the contact details of whom is as under, within a period of 60 days  
from the date of this order.

Yours Faithfully,

Encl: A/A

Contact Details of Electricity Ombudsman:  
**The Electricity Ombudsman**  
Maharashtra Electricity Regulatory Commission  
**606-608, Keshava Building**  
**Bandra-Kurla Complex, Mumbai 400 051**  
**Tel.No. 022-26590339**

