

**CONSUMER GRIEVANCE REDRESSAL FORUM,
MSEDCL, BARAMATI ZONE, BARAMATI.**

Case No.: 02/2015

Date of Grievances: 20/02/2015

Date of Order: 16/04/2015

In the matter of refund of AEC & Additional FAC.

M/s.Kalyani Technoforge Limited
E-84,MIDC, Ranjangaon,
Tal.Shirur, Dist. Pune.

Complainant

(Herein after referred As Consumer)

Versus

The Superintending Engineer,
M.S.E.D.C.L.,
Baramati Rural Circle,
Baramati.

Respondent

(Herein after referred As Licensee)

Quorum

Chairperson
Member
Member Secretary

Mr. S.N.Shelke
Mr.S.S.Pathak
Mr. S. M. Akode

Appearance:-


For Consumer: -

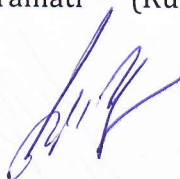
1) Mr.V.B.Dhanurkar
(Representative)

For Respondent: -

1) Mr. P.T.Kasale , Executive Engineer (Adm.)
Baramati Rural Circle, Baramati.

1. The Consumer has filed present Grievance application under regulation No. 6.4 of the MERC (CGRF& E.O.) Regulations 2006.
2. The consumer had filed grievance in the IGRC, Baramati Rural Circle on 02.04.2014. But he did not get any decision from IGRC Baramati Rural Circle up to 20.02.2015.
3. The paper containing the above grievance were sent by the Forum to the Superintending Engineer, Baramati (Rural) Circle vide letter No.







CE/BMTZ/CGRF/943 dtd.24.02.2015. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 25.03.2015.

4. We heard both sides at length, gone through the contention of the consumer and reply of the respondent & documents placed on record by the parties. On its basis following factual aspects were disclosed.
 - i) The consumer is categorized as HT/N Industrial consumer in the name of M/s. Kalyani Techno Forge Ltd. connected on 30.11.2006.
 - ii) The consumer is having consumer no.184059039260.
 - iii) The sanctioned load is 6650 KW & sanctioned demand is 4950 KVA.
 - iv) The consumer has received the monthly electricity bill for the month of Oct.2013 for the amount of Rs.1,24,01,620/-
 - v) The Licensee in the billing month of Oct.2013 recovered AEC & Addl.FAC for Rs.18,94,377.75. Therefore consumer made complaint to the concerned office that the said recovery is not as per the direction of MERC vide Case No.44/2013 dated 4.9.2013 & the Commercial Circular No.209 dt.07.09.2013. Therefore consumer sought refund of the amount of AEC & Addl.FAC with interest at the rate 18% per annum.
5. On the other hand MSEDCL was represented by Mr.P.T.Kasale, Ex. Engineer (Administration) Baramati Rural Circle. He submitted that as per CE, Commercial Circular No.209 dt.07.09.2013 the AEC & Addl.FAC are to be charged for the period from 1st of Sept.2013 in six equal monthly installments. Therefore AEC & additional FAC charged other than period from 1st of Sept.2013 needs to be refunded. According to him AEC & additional FAC for 23 days needs to be refunded.
6. As per CE, Commercial Circular No.209 dtd.7.9.2013 MERC has directed MSEDCL in case No.44/2013 dated 4.2.2013 to recover additional charges from the consumers in the form of additional energy charges (AEC) & Additional Fuel Adjustment charges (FAC). It reads as -

As FY 2012-13 is already completed MERC has allowed MSPGCL to recover the difference in revenue recoverable in accordance with the tariff approved in this order vis- a -vis the provisional tariff charged by MSPGCL in six monthly installments from Oct.2013 onwards. MERC shall

carry out the truing up for FY 2012-13 in accordance with MERC tariff regulations, 2005.

7. On perusal of bill of the said consumer for the month of Sept.2013 it is seen that billing period is from 9.8.2013 to 17.09.2013. Additional FAC & AEC are levied as per MERC order No.44 vide Circular No.209. In the said bill consumer is charged from 9.8.2013, therefore the period from 9.8.2013 to 31.8.2013 is other than the period from 1.9.2013. Therefore MSEDCL (Licensee) is required to refund AEC & Additional FAC from 9.8.2013 to 31.08.2013 i.e. for 23 days. Therefore grievance of the consumer needs to be partly allow. The Licensee to adjust proportionate refund of charges for 23 days as mentioned above in the next billing cycle.

Hence the Order:-

ORDER

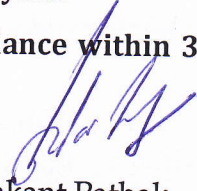
- 1) The grievance of the consumer is partly allowed with cost.
- 2) The Licensee to refund amount of AEC & additional FAC proportionately for 23 days alongwith interest as per rules.
- 3) The Licensee to adjust the above mentioned refund amount of AEC & Additional FAC in next billing cycle.
- 4) The Licensee to report compliance within 30 days from the receipt of this order.



S. M. Akode

Member/Secretary


CGRF:BMTZ:BARAMATI



Suryakant Pathak

Member

CGRF:BMTZ:BARAMATI


16.4.2015

S.N.Shelke

Chairperson

CGRF:BMTZ:BARAMATI

Note:-The Consumer if not satisfied may file representation against this order before the Hon'ble Ombudsman within 60 days from date of this order at the following address.

Office of the Ombudsman,

Maharashtra Electricity Regulatory Commission,
606/608, Keshav Building, Bandra Kurla Complex,
Bandra (East), Mumbai-51.