

**Consumer Grievance Redressal Forum  
Maharashtra State Electricity Distribution Co. Ltd.  
Bhandup Urban Zone, Bhandup**

Ref. No. Member Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 443

Hearing Dt. 12/06/2012

**In the matter of refund of RLC of updatation of security deposit and  
interest thereon**

Shri Shrinivas Shetty - Applicant

Vs.

MSEDCL, Sarvodya S/Dn. - Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhari, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Shri Harshad Sheth, Consumer representative.
- 2) Shri Mukesh Shah, Consumer representative

C] - On behalf of Respondent

- 1) Shri S.V. Bedagkar, Dy. Ex. Engr., Mulund Divn.
- 2) Shri P.H. Manik, Mulund Divn.

**ORDER**

Shri Shrinivas Shetty is a three phase LT commercial consumer with sanctioned load of 22 kw and contract demand of 28 KVA at Kirit Mahal Hotel, Lavkush Shopping Centre, Mulund under sr.no.

700000851568. Shri Harshad Seth the consumer representative (herein referred as to the Applicant) stated that the utility has collected the loan amount by the way of Regularity Liability charges (RLC) from all the LT/HT consumers for the period of Dec-2003 to Sept-2006 i.e. for 27 months. As per the MERC directives in case no. 72 of 2007 the utility has to refund the same from July-08 onwards through the monthly bill in the installments.

In the present case, the utility has collected the RLC from Dec-03 to Aug-05 under the billing unit 3653 and from Sept-05 billing unit was change to 4738 and thereafter to 4703. The utility has refunded in the installment of ` 454.68 per month for an amount which were collected for the period of Oct-2005 to Sept-06 under billing unit of 4739. The Applicant has also put forth the statement showing that the RLC collected for the period of Dec-03 to Aug-05 for an amount of ` 62,068/- which are balance for refund.

He further reiterated that the Respondent utility has refunded ` 32,770/- in the installment. He also referred the commercial circular no. 81 of 07/07/2008 para no. 14.11 where the methodology is given and directed to refund the RLC alongwith 6% interest p.a. effective from July-08 onwards. Hence consumer is entitled for the interest from July-08 to June-12 on the delayed period for every installment.

He added that presently the utility has stopped the installment of refund from Oct-2011 onward the reason is not given.

He conceded that the security deposit and additional security deposit displayed on bill upto May-2008 as 'zero', the present deposit of the consumer is 38760 and old deposit which was not updated is ` 13,570/-. Hence the interest upto May-2008 should be awarded and the interest on ` 13,570/- from Jan-2003 till June-2012 should be awarded to the consumer at the rate of RBI. He also requested for adding the deposit of ` 13,570/- to the existing security deposit of ` 38,760/- and to be displayed on the bill.

On behalf of utility Shri S.V. Bedagkar, Dy. Ex. Engr., Sarvodaya S/Dn. was present to represent the case (herein after will referred as to the Respondent), he stated that the RLC refund procedure was started as per the directives of Commission from July-2008. The installments paid to the consumer are as under :

- 1) RLC refunded for July-08 to Aug-09 @ 15.5% for 13 installments.
- 2) The RLC refunded for Sept-08 to July-10 @ 21% of 11 installments.
- 3) The RLC refunded for Oct-10 to Sept-11 @ 16% of 12 installments.

The Respondent submitted the information of total collected RLC is ` 61,883/- from which the amount of ` 20,242.83 is refunded to the consumer for July-08 to Sept-11 in the installments. He also conceded that the security deposit ` 38,760/- is displayed on bill from July-08 and asked to give the detailed of the any amount paid towards the security deposit from the consumer. On this, the Applicant has submitted the copy of electric bill of this consumer dtd. 25/02/2003 where the security deposit amount is displayed as ` 13,570/-.

As regards to the refund is been stopped from Oct-2011 the Respondent reiterated that being a policy matter and Commission has not given the directives as to in what percentage the remaining balance amount has to be paid in installments the same is awaited and likely to be directed in the next coming tariff order by the Commission.

The matter was heard on 12/06/2012 both the parties were present the documents on record and arguments during the hearing reveals that the amount of Security Deposite ` 13,570/- displayed by the Respondent on the bill of consumer dtd. 25/02/2003 is need to be added in the existing amount of Security Deposite ` 38,760/- and the interest should be awarded from March-2003 onwards till date, verifying their own record at the rate of RBI.

As regards to the refund of RLC the balance amount, required to be refunded should be immediately start in the decided installments on receipt of the directives in the next tariff order from the Commission alongwith the interest of 6% p.a. from July-08 onward till its realization.

### **ORDER**

1) The Application is allowed

2½ The S.D. amount ` 13570/- should be added to the existing available S.D. amount of consumer and the interest should be awarded on S.D. amount ` 13570/- as Directed in the above forgoing paragraph.

3½ The balance amount of RLC to be refunded as per the directives to be received from Commission alongwith the interest @ of 6% p.a .from July-08 for the delayed period till its realization

No order as to the cost.

Both the parties be informed accordingly.

Compliance should be reported within 60 days.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 26<sup>th</sup> of July 2012.

Note : 1) If Consumer is not satisfied with the decision, he may proceed within 60 from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

#### **Address of the Ombudsman**

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in writ before the Hon. High Court within 60 days from receipt of the order.

**DR. ARCHANA SABNIS  
MEMBER  
CGRF, BHANDUP**

**S. K. CHOUDHARY  
CHAIRMAN  
CGRF, BHANDUP**

**R.M. CHAVAN  
MEMBER SECRETARY  
CGRF, BHANDUP**