

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

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

Date :

Case No. 455

Hearing Dt. 04/07/12,
11/07/12 & 26/07/2012

In the matter of Refund of RLC & SD amount interest thereon

M/s. Sanya Industries - Applicant

Vs.

MSEDCL, Panch Rasta. - 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

B] - On behalf of Applicant

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

C] - On behalf of Respondent

- 1) Shri Satish Mane, Dy. Ex. Engr., Panchrasta S/Dn.

ORDER

The present grievance is regarding consumer no. LT-V-600000822547 as well as for consumer no. LT-II-000093030150. It appears consumer no. LT-II-000093030150 is permanently disconnected in view of the general circular issued by utility that either of the connection is to be disconnected in case if there are more than one

connection in the same premises and that is how it was permanently disconnected.

Now the grievance regarding the deposit of single phase billing is that after permanent disconnection the final bill was not issued. The RLC collected and security deposit with interest was not refunded to the consumer.

On dtd. 26/07/2012 both the parties were present and it was discussed initially regarding the single phase P.D. supply. According to consumer since March-2004 till Sept-2005 with available bills it is shown that amount of ` 1306/- was collected by utility by the way RLC. Since Oct-05 to Oct-06 amount of ` 1424/- was collected. In the abstract which is given by consumer, it is shown that for the period Sept-05 to Oct-06 in the bill was ` 44.22 ps. p.m. was refunded now it also appears after permanent disconnection, the amount of RLC was not calculated. Forum asked the Representative of Respondent from CPL can it be shown that the amount which is shown in the abstract available with him whether it can tally? The submission was that on verification the CPL this amount didn't disclose in CPL. However, refund to some extent from July-08 onward in CPL is exhibited. In view of this fact consumer inconvenienced the Forum by showing the actual bill of the period since March-04 and the entries in the bill reflects that RLC was collected by utility as shown in abstract is correct. However to our mind as this is the case of permanent disconnection we feel that after getting the correct figure by IT department the exact amount of the refund of RLC is required to be calculated and same should be paid with interest 6% p.a. as per rules and guidelines of MERC. The request of the consumer is that the whatever the amount of RLC with interest for LT-II-000093030150 should be calculated within 60 days from date of this order and that amount either should be paid by crossed cheque or as requested by the consumer the said amount may be credited toward consumer no. LT-V-600000822547. It is left open to utility/Respondent either to pay the amount by cheque or may be credited at the consumer which is given as above.

So far the deposit is concerned it reflects from the documents referred like bill and CPL it is not disputed about deposit of ` 1010/- in Feb-96. We have been told the said amount is yet to be paid to the consumer inspite of fact the connection is permanently disconnected in the month of June-10. The regular interest till the permanently disconnection was already reflected on bill but after permanent disconnection consumer is claiming the interest on said amount. So to our mind the principle amount of ` 1010/- with interest at the rate of RBI since July-10 till its realization should be calculated as applicable from time to time and after calculation of interest the total amount should be paid the consumer by account payee cheque within 60 days from date of this order or as requested by the consumer the said amount should be credited at consumer no. LT-V-600000822547.

The original application for consumer no. LT-V-600000822547 was for the refund of the RLC collected for the period Dec-03 to August-05 as well as for the period of Sept-05 to Sept-06 with interest. In support consumer has given a chart disclosing as to how much amount was collected by way of RLC during above period and how much amount was refunded to him. On dtd. 26/07/2012 the Respondent appeared and filed by way of say the amount in total collected by way of RLC, actual RLC credit, already RLC credited and short fall of RLC collected in June-12. We have made it clear by consumer also that the figure shown by the Respondent are similar to the figure which consumer has claimed. So it appears that out of total amount of ` 98,630/- considering the percentage 52.50% ` 51,781/- are received by the consumer. Now it is admitted fact is that remaining 47.50% amount that is 46850/- is yet to be recovered by the consumer from Respondent.

We have been told that as per policy matter and decision given by the MERC till this dtd 52.50% amount is refunded to the consumer and remaining 47.50% is calculated above will be returned to the consumer as per the policy matter and as and when the further instruction will be issued by the department and from MERC. For this consumer has no objection. Accordingly following order is passed.

1) Amount of ₹ 46,850/- by way of RLC against consumer no. LT-V-600000822547 may be returned to the consumer as per the policy decided by the Commission and as per the instructions received from the Commission to the Respondent.

2) So far the permanently disconnected consumer no. LT-II-000093030150 we have discussed in the body of judgement as to how that amount is to be refunded and within what period. So according to us the same should be treated as final order and the compliance report should be submitted accordingly.

3) There will be no order as to the cost and the matter is disposed off.
Both the parties be informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 30th 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.

S. K. CHOUDHARY
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP