

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

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

Date :

In the matter of Refund of RLC amount

Case No. 459

Hearing Dt. 05/07/2012

M/s. Acid Sales Corporation - Appellant

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 Appellant

- 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 Manik

The consumer M/s. Acid Sales Corporation is a LT consumer of the Respondents, bearing consumer no. 600000097001, billing unit 4703, Sarvodaya Nagar S/Dn.

By filing this complaint, the consumer has prayed for RLC refund along with interest.

It is contention of the consumer that :

1) Though RLC refund is continued for HT consumer. LT consumers are not given any refund since Oct-2011.

2) The Respondents are presently refunding ` 143.48 per month towards refund of amount collected under billing unit 4738 from Oct-2005 to Sept-2006.

But the initial RLC amount which was collected under billing unit 3653 for the period Dec-2003 to August-2005 and thereafter under billing unit 4738 is yet to be refunded by the Respondent.

3) The Complainant has enclosed statement showing unit wise consumption and RLC collected from Dec-2003 onwards.

On the date fixed for hearing, both the parties remained present through their representatives.

We heard both the parties.

Now the only question before us is

Q1. Whether the consumer is entitled to get RLC refund as is claimed by him.

We answer the question affirmatively for the following reasons:

The consumer has enclosed statement showing RLC collected as :

- a) Dec-2003 to Aug-2005 ` 20,645/-
- b) Oct-2005 to Sept-2006 ` 10,764/- Refunded ` 143.48 per month till Sept -2011.
- c) Interest on ` 20,645/- as per MERC & MSEDCL circular no. 81, dtd. 07/07/2008 (14.11) assumed to be ` 20,645/-

The above calculations are not disputed by the Respondent. Also, the Respondent have not disputed the fact that RLC refund to LT consumers is stopped since Oct-2011.

But the Respondent has submitted that at being policy matter, the consumers will be given further RLC refund as and when there is order to that effect from MERC

We thus hold that the consumer is entitled to get the refund and pass following order

ORDER

- 1) Complaint no. 459 is allowed.
- 2) Utility is directed to refund balance amount of RLC collected by them to the consumer alongwith interest @ 6% pa (to be calculated from July-08 onwards on reducing balance) as and when decided by the Commission in their next tariff order.
- 3) No order as to the cost

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