



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

MERC/ADM/RTI/25/2016/ 1715

28th March, 2016

To,
Mrs. Suman Kamalaksha Rao,
9/63-A, Gurukrupa, Second Floor,
T.V. Chidambaram Marg,
Sion (East), Mumbai- 400 022.

Subject : Your application dated 29.02.2016 submitted under RTI Act 2005.

Your RTI application dated 29.02.2016 under section 6 (1) RTI Act 2005 to the Public Information Officer, Maharashtra Electricity Regulatory Commission, Mumbai. The said application has been received in the office of the Commission on 1st March, 2016.

Application has been sought the information is as under:-

Information	Answer
What action "MERC" has taken on "BEST" for refund of the illegally collected "TDLR" from electricity consumer bill account as on today's date.	The issue of TDLR charges has its genesis way back in FY 2004-05. The matter has gone up to the Hon'ble Supreme Court of India and subsequently, in light of the Hon'ble Supreme Court's Judgment dated 8 th February, 2011 in Civil Appeal No. 848 of 2007, the Commission had approved the inclusion and allowance of the entire deficit of transport business of the BEST in respect of electricity business as claimed by BEST.
	APTEL in appeal No. 155 of 2013 has elaborately given the ratio of the Judgment dated 8 th February, 2011 of Hon'ble Supreme Court of India in Civil Appeal No. 848 of 2007 and further in Para No. 49 of the said Judgment has set aside the impugned Order (Order of MERC dated 26 December, 2012 in Case No. 80 of 2012).
	The Commission has already re-opened MERC Case No. 80 of 2012 and started Proceeding in compliance of the directives issued by APTEL in Appeal No. 155 of 2013 Judgment dated 31 October, 2014.
	Aggrieved by the above Judgment of APTEL dated 31 October, 2014 passed in Appeal No. 155 of 2013, BEST has filed CIVIL APPEAL NO. 10488 of 2014 (with Interim Application for Stay) before the Hon'ble Supreme Court on 17.11.2014.
	Record of Proceedings dated 8 December, 2014 in Civil Appeal No. 10488 of 2014 is enclosed herewith.

In case, if you are not satisfied with our reply, you may approach to Shri Anilkumar Ukey (Dy. Director-Legal), who is Appellate Authority, within thirty days from the receipt of the information as provided under section 19(1) of RTI Act 2005.

Yours faithfully,

(Pradeep Mohare)
Public Information Officer

Encl: As above