



TAMIL NADU ELECTRICITY CONSUMERS' ASSOCIATION

Regd. No. 181-8524/1998 – **CIN.No.** U37102TZ1998GAP008524

1st Floor, SIEMA Building, 8/4, Race Course, Coimbatore - 641 018

Phone: (0422) 4351400 Mobile No. 9787299000 E-mail:

teca@tecaonline.in Web:www.tecaonline.in

TECA:2023-24: CIR/061

12 December 2023

To

All Members

CIRCULAR

Dear All,

Sub: Encashment of Unutilised Banked Units during the R&C period -Whether 75% or 100%-High Court ordered to allow 100% encashment - Quashed the instructions of the CFC-Revenue-CFC-Revenue issues further guidelines.

Ref: 1. Order of the Hon'ble Madurai High Court in the Writ Petition No. WP (MD) No. 17091 of 2015 dated 27.04.2023.
2. The communication of CFC-Revenue in Letter No. CFC/REV/ FC/REV/ AS.3/REV/D.No.553/23 dated 17.06.2023.
3. Further clarification of the CFC-Revenue in Letter No. FC/REV/AO/REV/AS-3/REV/D. No. 568 /23 dated.09.10.2023

Members were aware that the matter of allowing 100% encashment for the unutilized wind energy available as on 31st March, during the R&C Period was fully and finally settled down by the Hon'ble Madurai Bench of Madras High Court in the Writ Petition of TASMA in WP (MD) No. 17091 of 2015 dated 27.04.2023.

Accordingly, TECA advised our members to seek the balance of 25% encashment from the SEs concerned for the respective financial years during the period by which the R&C measures are in force up to 05.06.2015. Members were also advised to get back the 25% encashment amount if recovered by the TANGEDCO, in case the recovery has happened already based on the communication of CFC-Revenue dated 30.05.2015.

However, the SE, Tirunelveli has again sought for clarification on the matter, as how to deal with such claims when received from WEGs seeking 100% encashment, in case they are provided with dedicated feeders at their Consumption Ends.

Accordingly the CFC-Revenue has now finally clarified the matter as per the reference cited in 3 and accordingly, directed all the SEs to permit to encash the unutilized wind energy available as on 31st March during the respective financial years during which the R&C measures were in force. We are enclosing the soft copy of said CFC communication for the reference of our members.

Therefore, all the WEG owners are entitled for 100% encashment of the unutilized energy during the R&C period. Accordingly, members who are eligible to receive 100% encashment



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as per the High Court Order 1st cited above, can pursue with the concerned Superintending Engineers, mainly with the Generation End to get the balance of 25% of the encashment amount suitably by producing the letter of the CFC-Revenue 4th cited above. Also if any Audit Objections are kept pending at the office of the Superintending Engineers, in this regard, the same may be requested to be closed. If any member already faced the recovery to the extent of 25% of the encashment amount, can claim back the same suitably.

With Warm Regards

N. Pradeep
President