

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Nagpur Urban Zone, Nagpur**

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**Case No. CGRF(NUZ)/066/2008**

Applicant : M/s. Hi-Tech Machinery  
Plot No. D-50, MIDC Industrial Area,  
Butibori,  
Dist. Nagpur.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Division No. II, NUZ,  
Nagpur.

Quorum Present : 1) Shri S.F. Lanjewar  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

**(ORDER (Passed on 28.02.2009))**

The present grievance application has been filed on dated 12.12.2008 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of --

- 1) Cost of metering cubicle refundable to the applicant  
of Rs. 67,958/-
- 2) Testing Fees of Rs. 5,000/-
- 3) 15% supervision charges Rs. 848/-

and he sought the relief, to pay the amount in the compound interest at standard rates from the day of its payment.

MSEDCL issued a statement in which the calculation of the refund amount is shown.

Applicant wants to refund the amount which he paid till date.

The applicant had submitted the documents alongwith the order of Shri W.G. Gorde Electricity Ombudsman in the case M/s. Unijules Life Science V/s MSEDCL representation No. 46 of 2008 in the matter of charges for giving supply or.

In this case, the applicant has not provided any justification for interest of 18% but he prayed for refund of the amounts along-with the interest in the representation before the Electricity Ombudsman. They have not allowed the interest at 18% but the normal interest rate of the Bank.

It is seen that the respondent has wrongly asked the appellant to procure the metering cubicle with C.T. & P.T. unit for which the appellant had to incur expenditure. This amount is not collected by the respondent in the nature of security deposit. Similarly it is not collected as excess billed amount due to incorrect application of tariff etc.

But the facts remains that the appellant had to incur under the expenses. Keeping this in mind, it would be just and fair to award interest at the bank rate on the refund amount of Rs.67,950/- (similar to S.D. or excess recovered amount) from the date of procurement of the cubicle till the date of actual refund. The respondent may make refund by cheque or by adjustment in the issued bills.

The similar is the case of M/s. Hi-Tech Machinery and the issue is similar. Hence he demanded the refund of money as per above guidelines.

Regarding the Testing charges, the testing engineers of MSEDCL tested the cubicle at manufactures work at Nasik and then it was transported to consumer's premises. It was ex-factory testing and the first testing at consumer is premises prior to release of connection. Testing of cubicle at consumer's premises has to be carried out free of cost as per the Commission's order. According to the Forum erred in holding that first testing and as such the cost of testing can not be recovered. The respondent therefore prays to direct the consumer to deposit Rs.5000/- towards testing charges.

On the similar ground the applicant demanded to refund the testing charges of Rs.5000/-.

Regarding refund of 15% supervision charges paid of Rs.848/-.

As per Ombudsman order para Sr. No. (8&9) is clearly mentioned.

The MSEDCL has submitted the written statement vide L.N. SE/NRC/HT/T/ No. 972 Dated 15.02.2009.

In the statement there is clearly mentioned the Electricity Ombudsman's decisions.

The hearing was heard on dated 27.01.2009, 12.02.2009 & finally 17.02.2009.

The applicant said force-fully that as per the submission of order given by Hon'ble Ombudsman in his order No. Elect./Ombd/MERC/46 of 2008/149 dated 28.08.2008 in case of HT consumer M/s. Unijules Life Science Ltd., at B-35 MIDC Kalmeshwar Dist. Nagpur and asking to refund the said charges with interest of 18%.

The MSEDCL was represented by Smt. Parihar, A.E. & Legal Assistant Miss. Bangde and they said that they are ready to pay the charges but not interest on it.

Both the parties heard and the case is closed for decision.

The following points are consider for the decision.

- 1) The charges claimed by the applicant for cost of metering of Rs. 67,958/-
- 2) Testing fee Rs. 5000/-
- 3) 15% supervision charges Rs. 848/-

Has to be refunded to the applicant with the Bank rate, on or before 20.04.2009, and should sent the report compliance to this office.

Sd/-  
(S.F. Lanjewar)  
Member-Secretary

Sd/-  
(Smt. Gauri Chandrayan)  
MEMBER

CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.