

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

Case No. CGRF(NUZ)/013/2007

Applicant : M/s. Chhoriya Land Developers &
Construction Company,
C/o. Mr. V.G. Bamble,
Plot No. 77, Near Bus-Stand,
Ramtek,
Dist. NAGPUR.

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

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

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

3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 15.03.2007)

The present grievance application has been filed on 15.02.2007 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 erroneous and excessive recovery of 15% supervision charges on the non-applicant's estimate for carrying out work under outright contribution scheme for providing electricity to the applicant's building.

Before approaching this Forum, the applicant had filed his complaint on the same subject-matter of the present grievance to the Executive Engineer, CC O&M Division-I, MSEDCL, NRC, Nagpur on 21.08.2006. However, no remedy was provided to his grievance and hence, the present grievance application.

The intimation given on 21.08.2006 to the Executive Engineer concerned in respect of the applicant's grievance is deemed to be the intimation given to the Internal Grievance Redressal Cell (in short the Cell) under the said Regulations and as such the applicant was not required to approach the Cell.

The matter was heard on 13.03.2007.

The applicant's case was presented before this Forum by its nominated representative one Shri C.L. Patil.

It is the contention of the applicant's representative that an estimate costing Rs.6,55,680/- was sanctioned by the Executive Engineer, CC O&M Dn.-I, Nagpur on 11.04.2005 under the outright contribution scheme for providing electricity to the applicant's building project. The applicant was asked to pay 15% supervision charges and

accordingly, at the behest of the non-applicant, the applicant paid amount of Rs.85,523/- as supervision charges. The applicant's grievance is that 15% supervision charges are required to be computed only of labour component of the total estimate and that the component of labour charges comes to only Rs.51,833/- and as such, the non-applicant ought to have recovered amount of Rs.7,775/- i.e. 15% of Rs.51,833/-. He has therefore, claimed that the excess amount of Rs. 77,748/- already recovered may be refunded to him.

The non-applicant's Nodal Officer in his parawise report dated 12.03.2007 filed on 13.03.2007 has stated that a proposal is already sent to the Superintending Engineer, NRC,MSEDCL, Nagpur on 09.03.2007 for refund of excess amount of Rs.77,748/- to the applicant and that this excess amount shall be refunded to the applicant before 31.03.2007.

A copy of his parawise report was handed over to the applicant's representative on 13.03.2007 on which he expressed his satisfaction. However, he pleaded that the original action of the non-applicant in recovering the excess amount has caused not of mental harassment to him. He, therefore, requested that interest on the excess amount recovered may also be paid to him.

In the present case, it is admitted by the non-applicant that an excess amount of Rs.77,748/- was recovered from the applicant erroneously and that the applicant was required to pay an amount of Rs.7,775/- as 15% supervision charges on the labour component only. The non-applicant has assured that the excess amount shall be refunded to the applicant before 31.03.2007. Hence,

this Forum observes that the applicant's grievance is now settled as per his request.

In the result, we direct the non-applicant to refund the excess amount referred-to-above before 31.03.2007 alongwith interest from the date of recovery of the excess amount till its actual refund at the same rate that is made applicable by the non-applicant Company to its consumers for delayed payment charges.

The grievance application is thus allowed and it stands disposed off accordingly.

The non-applicant shall report compliance of this order to this Forum on or before 15.04.2007.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN

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

**Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR**