

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

---

**Case No. CGRF(NUZ)/004/2010**

Applicant : M/s. A. Majid Ahmed  
3-D, Anjuman Shopping Complex.  
Sadar, Nagpur.

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

Quorum Present : 1) Smt. Meera Khadakkar  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

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

3) Shri D.G. Gawnar  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 01.04.2010)**

This grievance application is filed on 02.02.2010 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 applicant has approached this Forum for refund of an amount of Rs.3,69,751/- spent by the consumer on account of incorrect demand note issued by the non-applicant.

It is the consumer case that the power connection was sanctioned to the complainant vide non-applicant order 242/2008. The complainant was directed to purchase the metering cubicle. The complainant was also asked to erect the HT line or about 3 Km. as per the estimate prepared by the non-applicant. The line was erected by the complainant through electric contractor. It is the complainant case that in view of the order of the electricity Ombudsman in case no. 46/2008. The metering cubicle should have been supplied by MSEDCL free of cost and the testing fees for the cubicle and transformer has been incorrectly collected from the complainant.

The complainant had approached the IGRC and requested for refund of expenses. However, no relief is given to the applicant, He therefore prayed for re-payment of amount of Rs.3,69,751/-. The complainant has filed the documents in support of his claim.

The non-applicant has filed the reply on 11.03.2010. The non-applicant has admitted that the complainant is consumer having contract demand of 80 KVA on 11KV line and the load sanctioned order dated 02.04.2008. The non-applicant is ready to refund Rs.67,958/- towards cost of metering cubicle, the non-applicant as also ready to refund cost testing fees of Rs.5000/-. The non-applicant has submitted that the cost of metering cubicle, the cost of testing fees and 1.5% supervision charges as per estimate will be adjusted in the next electricity bill.

The non-applicant has denied the applicant claim towards transformer testing fees for Rs.3000/- according to the non-applicant testing of the transformer is mandatory, before sanctioning the estimated to load of the consumer. According to the non-applicant the charges for testing the equipment are not part of the schedule of charges. These

charges are non regulatory items, hence the applicant is not entitled get this amount back.

The non-applicant has submitted that the work of erecting 0.3 Km. line is carried out by the applicant. However the non-applicant is entitled to recovered an amount of Rs.1,75,000/- towards service connection charges. The said amount will have to be deducted from the estimated cost of erecting the line. The non-applicant is liable to refund of Rs.1,15,007/- only. The non-applicant has opposed the applicant's claim from refund of transformer testing fees of Rs.3000/- and has prayed for rejection of the applicant's claim.

Heard both the parties, the non-applicant has express his willingness to refund an amount Rs.67,958/-, the cost of testing of Rs.5000/- and an amount of Rs.723/- which is the supervision charges. The non-applicant is also ready to refund an amount of Rs.1,15,070/- towards cost of erection of line. The applicant's claim for refund of cost of metering cubicle, refund of testing fees and 1.3% supervision charges is now accepted by the non-applicant. So far as the applicant claim for the cost of erection of line of Rs.2,90,070/- is concerned. The non-applicant has admitted that the applicant has rightly the work of erecting 0.3 Km. HT line. It is also an admitted fact that the estimated cost for the said erection is of Rs.2,90,070/- the applicant has prayed for refund of entire amount of Rs.2,90,070/-. It is submitted by the non-applicant that he legally is entitled to recover an amount of Rs.1,75,000/- towards service connection charges. The said amount will have to be deducted from the estimated cost.

We are satisfied that the applicant is duty bound to pay an amount of Rs. 1,75,000/- towards service connection charges.

The said amount will have to be deducted from the estimated cost or the cost incurred by the applicant. The applicant is thus entitled to claim of Rs.1,15,070/-.

The complainant has also paid for refund of amount Rs.3000/- towards transformer testing fees.

The non-applicant has also not shown any supporting specific authorizing meter of charges testing fees of the transformer. In our opinion, the non-applicant has mis-interpreted the Commission order. The order as referred by the non-applicant pertains to the order is as under.

“Charges proposed for providing various types of equipments to the consumer are on hire basis and charges for testing of equipments belonging to consumer cannot be considered under Schedule of Charges, as these are non-regulatory items generating other income for the licensee.”

As there is no mandatory provision for testing of the Transformer by the non-applicant. The non-applicant cannot charge for testing. The applicant is therefore entitled for refund of the said amount.

After considering both the parties, we are satisfied that the complainant is entitled to claim of Rs.67,958/- towards metering cubicle.

The non-applicant has already expressed his willingness for refund of Rs.5000/- towards testing fees of Rs.3000/- and an amount of Rs.3723/- towards 1.3% supervision charges.

The applicant is entitled to refund an amount of Rs.1,15,070/- towards the cost of erection of line. Hence he is also entitled to claim towards transformer testing fees.

The non-applicant is directed to refund the above amount to the applicant.

The non-applicant shall carry out this order and report compliance of this order to this Forum on or before 30.04.2010.

Sd/-  
**(D.G. Gawnar)**  
Member-Secretary  
Page 4 of 5

Sd/-  
**(Smt. Gauri Chandrayan)**  
MEMBER

Sd/-  
**(Smt. Khadakkar)**  
CHAIRMAN  
Case No. 004/2010

**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**