

APPLICATION FORMAT

RULES

INDIAN RAILWAY COMMERCIAL MANUAL

VOLUME II

(Extract)

REFUNDS OF OVERCHARGES

2157. Claims for refund of overcharge.—To ensure that the number of claims for refund of overcharge, is kept as low as possible, the staff employed on booking of passengers, luggage, other coaching and goods traffic must see that fares, freight and other charges are calculated correctly. For this purpose, all tariff passenger fare notebooks; for through tariffs (Para 261), goods rate registers (Para 1438), etc., must be kept up-to-date. All notifications issued by the railway administration inviting attention to common errors resulting in overcharges must be carefully studied and acted upon.

2158. Refund of overcharges due to error in rate, classification, or computation of freight, at the time of delivery.—(a) Station Masters should allow refund of overcharges at the time of delivery in the case of consignments booked freight To-pay, where it is clear that the charges invoiced are incorrect due to any of the following reasons provided the consignment tallies with the description shown in the invoice / way-bill :—

(1) Error in rate not affected by description or condition of carriage.

(2) Error in classification, i.e., an error where a consignment as mentioned in the tariff is correctly described on the invoice or way-bill but charged under a wrong class. Overcharges claimed in respect of goods not specifically mentioned in the tariff, and regarding which doubt exists as to the correct class chargeable, do not come under this head.

(3) Error in calculation.

Note -In the case of error in calculation no overcharge is to be allowed or refunded without first carefully rewriting the consignment with a view to ensuring that the error do not really exist in the entry of weight.

(b) The following examples illustrate the cases to which Station Masters are authorized to allow refunds :—

(1) A consignment of haberdashery in Wagon load classified at class 180 weighing 130 quintals is booked 'To-pay' ex. Bombay (Carnac Bridge) to New Delhi and charged at the rate of Rs. 66.47 instead of Rs. 6637. This is a case of error in rate and the overcharge can, therefore, be refunded by the Station Master at the time of delivery.

(2) A consignment of "Jeera Seed, white" in wagon loads, classified to be charged at class 140, booked 'To-pay' and erroneously classified at class 180 and charged as "Jeera Seed black" under main head "Spices" this is a case of error in classification and the Station Master is authorised to allow refund of the overcharge at the time of delivery.

(3) The freight charges on a consignment weighing 20 quintals booked To-pay at the rate of Rs. 10.20 per quintal are computed at Rs. 240.00 instead of Rs. 204.00. This is a case of error in calculation and the Station Master is authorized to allow refund of the overcharge at the time of delivery.

2159. Procedure of refund of an overcharge by Station Master.--(a)

When, in terms of the preceding Para, a refund of an overcharge is admissible, only the net amount due should be recovered from the consignee (endorsee who should be requested to record the actual amount paid by him in the delivery book over his signatures. The consignee's acknowledgement for the amount refunded to him should also be obtained on the back of the relevant railway receipt and in the refund list (see Para 2160). Such acknowledgement in any of the regional languages other than Hindi should be rendered into Hindi or English by the staff granting the refund.

(b) original amount of the freight charges (as entered on the invoice / way-bill) and the amount refunded should be entered in the appropriate columns of the delivery books and relevant abstracts and summaries; the amount refunded should also be entered in the overcharge column of the relevant invoice / way-bill if the same is still on hand.

(c) As excess refund allowed at the time of delivery will be debited by the Traffic Accounts Office in a similar manner as undercharges, adequate care should be taken to ensure that the refund is correctly due.

2160. List of refund of overcharges allowed to the time of delivery.—

Overcharge due to error in rate, classification or computation of freight allowed at the time of delivery of goods or parcels should be entered in the 'List of overcharges allowed at the time of delivery'. These lists should be prepared in duplicate, by carbon process, in Form Com. |R-12 Rev. separately for goods and parcels, and local and through traffic. At the end of the month, total of column 'Amount refunded' should be cast and special credit for it taken in the relevant balance sheet. One copy of each list should be submitted along with the balance sheet in support of the credit claimed and the other copy retained as station record. In the case of goods traffic received from Government railways, for which the original invoices are not required to be submitted separately to the Traffic Accounts Office (see Para 2060), the relevant invoices or Transit invoices should be attached with the refund list before it is submitted along with the balance sheet. In other cases, the refund lists should be accompanied by copies of the relevant invoices / way-bills.

2161. Refund of overcharges by Chief Commercial Superintendent.—

Refund of overcharges in all cases other than those referred to in Para 2158 can only be allowed by the Refunds branch in the Headquarters Office. These refunds include—

- (i) error in weight, description or routing of traffic;
- (ii) error in rate, classification or computation of freight, claimed after delivery of goods |parcels;
- (iii) amount twice paid; and
- (iv) overcharges of 'Paid' consignments.

In all such cases, the Refund branch will call for an overcharge sheet (From Com|0-7 Rev.) from the station collecting the freight. It should be ensured by the Station Master that the overcharge sheet complete in all respects is submitted to the Refunds branch without delay.

2162. A remark about its submission to the Refunds branch should invariably be entered against the relevant entry in the cash book / goods outward book or delivery book, as the case may be, to prevent the possibility of a second overcharge sheet being passed in respect of the same consignment.

2163. Overcharges due to error in weight.—If there is an error in weight and the refund is claimed at the time of delivery the whole consignment should be re-weighed except at large depots with a gazetted officer in charge, where it will be sufficient to reweigh ten per cent of bagged consignments of not fewer than thirty bags provided that (i) reweighments are made under the personal supervision of the officer in charge or his designated assistant officer and (ii) the bags are certified by the same authority, to be of uniform size and in good condition. At stations where there are no means of weighing consignments, a reference should be made to the Station Master of the forwarding station or the station en route, at which the consignment was weighed.

Full details of weighment should be given on the reverse of the overcharge sheet. When the result of weighment has been communicated by the forwarding or any other station, the original letter / telegram admitting the overcharge should be sent to the Refunds branch along with the overcharge sheet.

2164. For all refunds of overcharges due to error in weight, the correct weight will be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office for certification or post check, as the case may be.

2165. Overcharges due to error in description of goods or routing of traffic.—(a) If the overcharge be the result of an error in description of goods or routing of traffic, the correct description of goods or the correct routes should be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office for check. (b) Similarly, in the case of a commodity not speed-nearly classified in the General Classification of Goods or about which doubt exists as to the classification under which it is chargeable, the correct classification will be certified by the Commercial Officer (Refunds) on the overcharge sheet before it is sent to the Traffic Accounts Office.

2166. (a) When the dispute in description is of such a nature that an error is apparent, a sample of the consignment should be taken before delivery (which should be effected on collection of the charges at the higher rate) and sent to the Refunds branch along with the overcharge sheet. Where the sample cannot be sent with the overcharge sheet, it should be kept in the safe custody of the Station Master, advising the full facts of the case to the Refunds branch and the Traffic Accounts Office.

(b) In the case of doubt, consignee's complaint should only be recorded and he should be directed to address the Chief Commercial Superintendent, forwarding documentary proof of the correctness of his contention and explaining how the sender wrongly described the consignment. If the delivery of the consignment is affected a sample should be taken and retained in the custody of the Station Master till further instructions from the Chief Commercial Superintendent who should be apprised of the fact by the Station Master. A copy of the report should also be sent to the Traffic Accounts Office.

2167. Overcharges in connection with amounts twice paid.—An overcharge sheet (Forth Com|0-7 Rev.) will be prepared by the Refunds Office who will submit it to the Traffic Accounts Office direct for certification. The Traffic Accounts Office will then advise the Refunds Office to issue a pay order for the refund. In the case of 'through traffic', the overcharge sheet will be certified by the Traffic Accounts Offices of both the forwarding and the receiving railways before the refund is made.

2168. Pay orders, (refund).—When refund of an overcharge in freight or fare is found to be due, the Refund branch will issue a pay order (refund) in Form Com.|P-23 Rev. authorizing the Station Master to pay the specified amount to the payee mentioned therein. The pay order (refund) will be sent to the payee and the station on which it is drawn will be advised of the fact separately.