

CONSUMER GRIEVANCES REDRESSAL FORUM, SHIMLA

Complaint No 1453/2/23/17

M/s Arush Industries

Vs

Himachal Pradesh State Electricity Board Ltd and Ors

- (1) Complaint is filed under Regulations 16, 17 and 18 of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 by M/s Arush Industries, Plot No 58 HIMUDA, Bhatolikalan, Barotiwala, Tehsil Baddi, District Solan – 174103 (HP);
- (2) Complainant is a Large Industrial Power Supply (LIPS) Consumer of Respondent HPSEBL, bearing Consumer ID 100012001983;
- (3) Complainant has filed the instant complaint being aggrieved by the non-refund of Security Deposit of Rs 11,84,715/= by the Respondent pursuant to its Permanent Disconnection on 16.02.2023 and including Interest and Penal Interest on Security Deposit in accordance with the Regulations Notified by the HP Electricity Regulatory Commission which shall be upto the date of actual refund of the said Security Deposit.

ORDER

- (4) Today the matter was listed for filing of Reply by the Respondent. However, Counsel for Respondent submits before the Forum that vide letter dated 31.07.2023 by Respondent No 3 ie Sr Executive Engineer, HPSEBL Baddi addressed to Respondent No 2 being the Assistant Engineer Electrical Sub Division Nalagarh-II, which has further relied on Accounts Officer (Banking), F&A Wing letter No 3117 dated 06.07.2023, it has been advised to adjust the Interest of Rs 6.62 lacs on the principle amount of Security Deposit against energy bills of sister concern of the Complainant by the name of M/s Fujikawa Power bearing consumer ID 100012000928, as the

Complainant stands permanently disconnected. To this the Complainant vide its letter dated 15.06.2023 has consented;

- (5) The Counsel for Respondent further submits that the Respondent No 2 has since the month of May 2023 vide its letter dated 27.05.2023 taken up the matter of Refund of Security Deposit of Rs 11,84,114.95 with the higher offices of the Respondent but for want of drawing limit to be issued by the concerned office of the Respondent, it has not become possible to make the refund of the Security Deposit. Drawing limit is a provision of funds made available to the disbursing officer of the Respondent. Thus to prevent piling up of Interest on Security Deposit, it would be in the interest of the Respondent HPSEBL that the principal amount of Security Deposit and balance amount of Interest and penal Interest be also refunded and adjusted against energy bills of sister concern of the Complainant by the name of M/s Fujikawa Power bearing consumer ID 100012000928 in accordance with the ibid letter dated 06.07.2023 by the Accounts Office Banking, F&A Wing and the complaint may accordingly be disposed;
- (6) Complainant consents to the adjustment of Refund of principal amount of Security Deposit and balance amount of Interest and penal Interest up to the date of actual payment against electricity bills of its said sister concern;
- (7) The ibid letter No 451 dated 27.05.2023 by Respondent No 2, letter No 3117 dated 06.07.2023 by the Accounts Officer (Banking) and letter No 3682-85 dated 31.07.2023 issued by Respondent No 3 of HPSEBL and letter dated 15.06.2023 by the Complainant, are taken on record;
- (8) The Forum agrees with the Counsel of Respondent that to prevent piling up of Interest on Security Deposit due to any delay in issuing the said drawing limit by the concerned office of the Respondent, it would be in the interest of the Respondent HPSEBL that the principal amount of Security Deposit and balance amount of

Interest and penal Interest be also refunded and adjusted against energy bills of sister concern of the Complainant in the name of M/s Fujikawa Power bearing consumer ID 100012000928 in accordance with the ibid letter dated 06.07.2023 by the Accounts Office Banking, F&A Wing;

- (9) Accordingly, the Forum directs that the Respondents calculate the principle amount of Security Deposit of the Complainant including Interest and penal Interest upto the date of actual refund and refund the same by adjustment against the energy bills of sister concern of the Complainant in the name of M/s Fujikawa Power bearing consumer ID 100012000928 on similar lines in accordance with the ibid letter dated 06.07.2023 by the Accounts Office Banking, F&A Wing.

On aforesaid terms, the instant complaint is disposed.

Parties are left to bear their own costs.

Order is announced before the parties present today on 31.10.2023 at Shimla in open Forum.

Certified copies of this Order be supplied to the parties. The complaint along with this Order be consigned to record room for safe custody.

Date: 31.10.2023
Shimla

--Sd--
Anil Sharma
(Member)

--Sd--
Vikas Gupta
(Member)

--Sd--
Tushar Gupta
(Chairperson)

**CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI,
SHIMLA-9.**

Complaint No.: - 1453/2/23/17

Date of Admission:-24.05.2023

**Quorum: - Er. Tushar Gupta, Chairman
Er. Vikas Gupta, Member
Sh. Anil Kumar Sharma, Member**

In ref:-

M/s Arush Industries,
Jharmajri, Baddi,
District Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Sr. XEN, (E) Division Barotiwala,
HPSEBL, Distt. Solan, (H.P.)
3. The Assistant Engineer,
Electrical Sub-Division
HPSEBL, Barotiwala,
District Solan (H.P.).

Respondents

Final hearing:-31.10.2023.

Counsels:-

Complainant 1. Sh. Rakesh Bansal A.R.

Respondent 1. Sh. Rajesh Kashyap, Advocate.
2. Sh. Kamlesh Saklani, U.S Law

Date of Decision: -31.10.2023.

Notice

**CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI
SHIMLA- 171009.**

No.CGRF/Complaint No. 1453/2/23/17

Dated:-

M/s Arush Industries,
Jharmajri, Baddi,
District Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1453/2/23/17

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Sr. XEN, (E) Division Barotiwala,
HPSEBL, Distt. Solan, (H.P.)
3. The Assistant Engineer,
Electrical Sub-Division
HPSEBL, Barotiwala,
District Solan (H.P.).

Respondents

The Certified copy of final order dated 31.10.2023 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/ intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal
Forum, HPSEBL, Kasumpti Shimla-9.