

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-09
No. CGRF/Complaint No. 1421/4/19/061

Complaint No.: - 1421/4/19/061

Date of Admission: - 04.12.2019

Quorum: - Er. Sanjay Dewan, Chairman.
Sh. K.S Dhaulta, Member.

Kundan Precision Components Pvt. Ltd.
Plot No. 9A Sector-II, Parwanoo,
District Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1421/4/19/061

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Executive Engineer,
Electrical Division, HPSEBL,
Parwanoo, Distt. Solan (HP).
3. The Assistant Engineer,
Electrical Sub-Division, HPSEBL,
Parwanoo, Distt. Solan (HP).

Respondents

Final hearing:-

18.08.2020

Present for:-

Complainant

1. Sh. Rakesh Bansal, (Authorized Representative)

Respondent

1. Sh. Anil Kumar God, Advocate
2. Er. Chattar Singh, ESD, Parwanoo

Date of Decision: -

18.08.2020

ORDER

1. The present complaint filed by the complainant regarding service connection charges/line cost share/infrastructure development charges. The complainant was issued a power availability certificate (PAC) for 225KW/ at 11KV on 17.12.2009. The advance cost share towards IDC as per para 3.2.2 of the supply code 2009 was recovered vice CAO No.260276 dated 16.12.2009. The complainant also paid other charges towards estimate for service line cost etc. The complainant alleged that the amount of advance cost share remained to be settled towards the cost of supplying sub-satiation. The surplus amount was to be refunded to the complainant as the Parwanoo sub-station had not under gone any capacity gone/addition during the operation of 2005 Regulations. The Regulations 6(2) of the IDC Regulations, 2005 provide that the Licensee shall render to the applicant/consumer the account of the expenditure showing the excess of deficit in relation to initial estimated amount within three months after the release of connection with item wise details of estimation and actual expenditure along with the figures of variance item wise to the extent possible. The complainant as sought refund the recovered advance share cost share charges of Rs.2,25,000/- along with interest as per para 5.7.3 of the Supply Code on the refundable amount. The complainant has also claimed cost of Rs.50,000/-.
2. The Respondent Board in their reply has admitted the fact that that the refund of advance cost share towards IDC is legally refundable and the case for refund of Rs. 2,25,000/- on account of IDC in accordance with the order passed by the Hon'ble HPERC in Suo-Moto Petition No.25 of 2016 decided on 05.10.2016 is already submitted to SE (OP) Solan for approval, as the amount was deposited by the complainant as per HPSEBL, Policy/Instruction prevailing at that time.
3. The Complainant in its Rejoinder confirm the fact that respondent has agreed to refund an amount of Rs.2,25,000/-. However the complainant submits that the interest payable on the said amount requires to be allowed as per CGRF Regulations which provided for simple interest @ 15% p.a.
4. We have heard both the Parties and have gone through the case file carefully. The Respondent Board today again submitted that the refund of IDC of Rs.2,25,000/- has been provided to the consumer in the energy bill of March/2020. The main grievance of the complainant thus has been addressed. The complainant submitted that the interest for

the intervening period is to be provided as per CGRF, Regulation on the matter enforce. The Ld. Counsel for the Respondent Board submitted that the simple interest on such refund, as per extant Regulations can be provided. Accordingly the complaint is disposed of with a direction to Respondent Board to give simple interest, as applicable under relevant Regulations on the matter, for the relevant period on refund allowed by Respondent Board in favour of complainant of Rs.2,25,000/-. In the aforesaid terms, the complaint stands disposed of in favour of the complainant.

5. The parties are left to bear their own costs. Announced before the parties present at Kasumpti, Shimla on 18.08.2020.

The File be consigned to record room after due completion. A copy of the order be kept in safe custody of folder of orders. The certified copy of these order be supplied to both the parties.

Dated:-18.08.2020

Place:- Shimla

Sd/-
(K.S. Dhaulta)
Member

Sd/-
(Sanjay Dewan)
Chairman

Notice

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9.

No. CGRF /Complaint No. 1421/4/19/061

Dated:-

Registered

Kundan Precision Components Pvt. Ltd.
Plot No. 9A Sector-II, Parwanoo,
District Solan (HP).

Complainant

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Respondents

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Parwanoo, Distt. Solan (HP).

Respondents

The Certified copy of final order dated 18.08.2020 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.