

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-09.
No. CGRF/Complaint No. 3234/2/21/01

Complaint No.:- 3234/2/21/01
Date of Admission:- 17.02.2021
Quorum:- Dr. M.G Sharma, Chairman
Er. Vikas Gupta Member.
Sh. K.S Dhaulta Member

M/s I.D.Sood Ispat Ltd,
Village & P.O Kandrori
Tehsil Indora Distt Kangra(H.P)

Complainant

V/s.

HPSEBL & Others.

Respondents

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. Sr. Executive Engineer, (Comm./works
O/o Superintending Engineer(OP) Circle,
HPSEBL, Dalhousie Distt. Chamba (HP).
3. Assistant Executive Engineer,
Electrical Sub-Division HPSEBL,
Damtal Distt. Kangra (HP).

Respondents

Final hearing:-

24.08.2021

Present for:-

Complainant

1. Sh. S.D Sharma, Advocate

Respondent

1. Sh. Anil Kumar God, Advocate
2. Sh. Kamlesh Saklani, Law Officer

Date of Decision:-

24.08.2021

ORDER

The complainant is consumer of HPSEBL, having connected load 2470.201 KW and Contract Demand 2520 KVA. The Respondent Board served a notice to complainant company amounting to Rs. 9, 99,112/- only (Annexure C-5) of case file less deposited by the complainant which is disputed arrear resulted in filing this suit as per IDC charges fixed by the HPERC, the total amount due against the complainant 32, 13,000/- but of which Rs. 24,26,609/- has already been deposited by the complainant (Annexure C-3) of Respondent reply.

The complainant by its rejoinder dated 23.07.2021 stated that the demand is arbitrary and illegal as no procedure have been followed to determine the demand and prayed that the same may kindly be set aside & quashed.

The Respondent Board in its reply refuted to the charges of the complainant and emphasised that the demand in question has been raised as per Regulation 419/2005 of HPERC and have been calculated Rs. 1275/- Per KVA amounting to Rs. 32,13,000/-only .

We have heard the parties at length and also gone through the record placed to us.

The matter basically pertains to levy of Infrastructure Development Charges by the Respondent Board on the present Complainant/Consumer.

The Complainant has contested the procedure, manner and the amount which has been raised as per the Demand Notice. Attention is drawn to the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for supply of Electricity) Regulation, 2005, which is applicable in the present case.

“Regulation 6(2) pertaining to recovery of cost on account of Supply of Electricity provides that the Licensee shall render the Applicant/Consumer an account of the expenditure showing the excess or deficit in relation to initial

estimated amount within three months after release of connection giving detail of item wise estimation and actual expenditure along with the item wise figure variance to the extent possible.”

” Regulation 4 (d) (i), (ii), further provide that in case of adequate spare capacity to meet with the additional demand the licensee shall estimate or recover the cost in like manner including the cost already incurred, with compound interest @ 8% per annum on prorata basis and the credit of the depreciated cost of old/existing electrical plant rendered surplus for account of augmentation shall be afforded in the estimate.”

The complainant intimated that Respondent HPSEBL has neither provided the variation in estimate nor provided the actual expenditure incurred (item wise detail).

The Forum in accordance vide interim order dated 23/7/21 directed Respondent HPSEBL to Supply the detail of expenditure in actual arrived at. Accordingly in compliance of same. Respondent HPSEBL has supplied item wise detail of cost of expenditure for providing 1 No., additional 16MVA Power Transformer along with associated 132/33KV equipment at 132 KV Sub/Station Kandrori, wherein the cost per KVA have been worked out to the tune of Rs. 1246.392/KVA. Which is duly annexed in the case file.

The demand as raised by the Respondent HPSEBL in question does not hold good and in view of above discussion and requires to be visited again and (Annexure C-4) is quashed & set aside . In view of CGRF interim order dated 23/07/2021 the demand notice issued by Respondent HPSEBL dated 14/8/21 amounting to Rs. 10,83,751/- is also quashed and set aside Annex-R2 of HPSEBL reply annexed in case file.

In view of above , the Respondent HPSEBL is directed to make calculation of IDC on 1246.392/- per KVA instead of Rs. 1275/- per KVA strictly

in accordance to the Regulation discussed as above and the deficit amount worked out may be recovered from the complainant as per the ibid procedure

In terms of above directions imparted to the Respondent Board/ Complainant the complaint is disposed of.

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 orders be supplied to both the parties.

Dated:- 24.08.2021

Place: - Shimla

Sd/-

(K.S Dhaulta)
(Member)

Sd/-

(Vikas Gupta)
(Member)

Sd/-

(M.G Sharma)
Chairman

Notice

Registered
CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.
No.CGRF/Complaint No. 3234/2/21/01 **Dated:-**

M/s I.D.Sood Ispat Ltd,
Village & P.O Kandrori
Tehsil Indora Distt Kangra(H.P)

Complainant

V/s.

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Respondents

Complaint No. 3234/2/21/01

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Damtal Distt. Kangra (HP).

Respondents

The Certified copy of final order dated 24.08.2021 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.