



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

Shakti Bhawan, IInd Floor, Room No.317, Sector-6, Panchkula

E-mail: uhbvn_forum2006@yahoo.com

Fax & Phone No. 0172-2583896

Complaint No. CGRF-678/13

To

The CMD,
UHBVN. Panchkula.

Memo No. Ch- 48 /UH/CGRF-678

Dated: 30/04/13

Subject: - Order in respect of complaint of M/s Bharat Industries.

Enclosed please find herewith the order issued by Consumer Grievances Redressal Forum in respect of above complaint for its compliance.

DA/As above


Member-I,
CGRF, UHBVN,
Panchkula

CC.

1. Secretary/HERC, Sec-4, Panchkula.
 2. CE/OP, UHBVN, Panchkula.
 3. SE/ 'OP' Circle UHBVN, Karnal.
 4. CGM/Commercial UHBVN, Panchkula.
 5. XEN/IT, UHBVN, Panchkula. (for posting on UHBVN site)
 6. XEN/OP City, Division, UHBVN, Karnal, with a copy of order.
 7. SDO/Op Sub Urban, Sub-Divn., UHBVN, Karnal.
 8. M/s Bharat Industries, Plot No. 316, Sector-3, HSIIDC Industrial Estate, Karnal.
- For information & further necessary action with respect to order of Forum (copy enclosed).



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Complaint No. UH/CGRF - 678 of 2013
Date of Institution 02.01.13
Date of Hearing 30.04.13
Date of Order 30.04.13

Before the Consumer Grievances Redressal Forum, UHBNL.

Present:-

1. Sh. Rajbir Singh, Member-I.
2. Sh. Anurag Nanchahal, Member-II.

In the matter of complaint of Sh. D.R. Bansal on behalf of M/s Bharat Industries, Plot No.316, Sector-3, HSIIDC Industrial Estate, Karnal regarding refund of service Connection Charges charged from the firm.

.....Complainant/Petitioner

Vs

- (1) XEN, City Op Division, UHBN, Karnal
- (2) SDO, Op Sub-urban Sub-Division, UHBN, Karnal

.....Respondents

Appearance:-

For Complainant:

Sh. D.R.Bansal, Advocate

For the Respondent:

Sh. Dharam Suhag AEE, Op S/U Sub-Division, UHBN, Karnal



ORDER

The complainant M/s Bharat Industries Plot No.316, Sector-3, HSIIDC Industrial Estate, Karnal has pleaded for refund of service Connection Charges charged from them by the respondents. The area falls under the jurisdiction of Op. Sub-Urban Sub-Division, UHBVN, Karnal and the Forum has the jurisdiction to try this suit.

It has been pleaded by the complainant that the respondent is bent upon illegally charging the service connection charges though as per HERC Regulations 12/2005 dated 26.07.05, these charges are not leviable. Therefore action of the respondent in charging service connection charges and issuing illegal clarifications need to be set aside. It is further argued that when the cost of electrical infrastructure has been borne by the HSIIDC and the price of the plot included the cost of electrical infrastructure, levy of service connection charges is illegal.

The application of the petitioner was received in this office of the Forum on 02.01.13. The Forum considered the facts and found the petition feasible for acceptance. Accordingly notice of motion dated 04.01.13 was issued to the respondents to submit their version. Respondent SDO submitted his version dated 28.01.13.

The respondent had stated that the sales instruction No.U-31/2010 dated 12.10.10 has clarified that if the entire electrical infrastructure for HSIIDC has been laid by the Corporation, the service Connection charges in the industrial estates may not be charged. It was further clarified vide the office of CGM/Commercial memo dated 18.09.12 that Service connection Charges deposited prior to 12.10.10 are neither refundable nor adjustable. It is also made clear that the consumers seeking connection in the area developed by the HSIIDC are to deposit SCC if the entire electrical infrastructure has not been created by the HSIIDC. Further Sales Instructions No. U-03/2013 clarify that the entire electric infrastructure includes construction of Sub-Station and other HT/LT/DTF. Moreover, the CGM/Commercial vide his memo dated 14.12.12 has intimated the President/KAIMA that



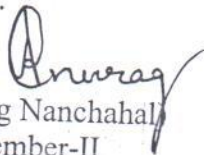
since the sub-station has been installed at the cost of the then HSEB, the service connection charges are leviable and justified.

The clause 4 of HERC regulations of 12/2005 regarding recovery of expenditure stipulates that every licensee is authorized to recover from an applicant requiring supply of electricity any expenditure that the licensee shall be required to reasonably incur in providing any electric line or electric plant for the purpose of giving such supply to the applicant.

The Forum, after considering the facts and evidence in details decides that the Service Connection charges have rightly been recovered from the complainants in view of the existing instructions of the Nigam as the HSIIDC has not constructed the entire electrical infrastructure i.e. including 33KV sub-station. The complaint is dismissed without any cost on either side.

The file may be consigned to the office record.

The order is signed and issued by the Consumer Grievances Redressal Forum on 30.04.2013.


(Anurag Nanchahal)
Member-II


(Rajbir Singh)
Member-I

