



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

Shakti Bhawan, 2nd Floor, Room No. 317, Sector-6, Panchkula

E-mail: uhbvn_forum2006@yahoo.com

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Complaint No. CGRF-749/13

To

The Managing Director,
UHBVN. Panchkula.

Memo No. Ch- 12/UH/CGRF-749

Dated: 2.7.13

Subject: - Order in respect of complaint of M/s Bharat Agro Industries regarding refund of service connection charges charged illegally by the respondent alongwith interest and costs.

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. CGM/Commercial UHBVN, Panchkula.
4. SE/OP, Circle, UHBVN, Karnal.
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-Division, UHBVN, Karnal.
8. M/s Bharat Agro Industries, Plot No. 344, 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 - 749 of 2013
Date of Institution	18.04.13
Date of Hearing	18.06.13
Date of Order	01.07.13

Before the Consumer Grievances Redressal Forum, UHBVNL.

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 Agro Industries, Plot No.344, Sector-3, HSIIDC Industrial Estate, Karnal regarding refund of service Connection Charges charged illegally by the respondent alongwith Interest and costs.

.....Complainant/Petitioner

Vs

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

.....Respondents

Appearance:-

For Complainant:

Sh. D.R.Bansal, Advocate

For the Respondent:

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



ORDER

The complainant Sh.D.R. Bansal on behalf of M/s Bharat Agro Industries, Plot No.344, Sector-3, HSIIDC Industrial Estate, Karnal has pleaded regarding refund of service Connection Charges charged illegally by the respondent alongwith Interest and costs. 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 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 action of the respondent to charge sundry connection charges is in violation of the HERC regulations and respondent be directed not to charge the same from the petitioner.

The respondent vide 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 by the office of CGM/Commercial vide its 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. The Sales Instructions No. U-03/2013 further clarify that the entire electric infrastructure includes construction of Sub-Station and other HT/LT/DTF.

The application of the petitioner was received in this office of the Forum on 18.04.13. The Forum considered the facts and found the petition feasible for acceptance. Accordingly notice of motion dated 01.05.13 was issued to the respondents to submit their version.

The clause 4 regarding recovery of expenditure stipulates that every licensee is authorised to recover from an applicant requiring supply of electricity any

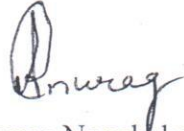
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expenditure that the licensee shall be required to reasonably incur in providing any electric line or electric plant for the purpose of giving such supply to the applicant.

The Forum, after considering the facts and evidence in detail decides that the Service Connection charges have rightly been recovered from the complainants in view of the existing instructions of the Nigam and the respondents are rightly insisting for depositing the service connection charges as the HSIIDC has not constructed the entire electrical infrastructure i.e. including 33KV sub-station. The complaint is disposed off without any cost on either side. The file be consigned to the office record.

The order is signed and issued by the Consumer Grievances Redressal Forum on 01.07.13.



(Anurag Nanchahal)
Member-II



(Rajbir Singh)
Member-I

