



HIMACHAL PRADESH ELECTRICITY OMBUDSMAN
SHARMA SADAN, BEHIND KEONTHAL COMPLEX, KHALINI, SHIMLA-171002

Case No. 67 of 2018

In the matter of:

M/s Shivom Cotspin Ltd , Trilokpur Road, Kheri, Kala Amb, Distt. Sirmour (H.P.) through its authorised representative Sh. Rakesh Bansal & Rahul Mahajan, Advotates.

Applicant

Versus

1. The Executive Director (Personnel), HPSEB Ltd , Vidyut Bhawan, Shimla-171004
2. The Asstt Engineer, Electrical Sub- Division, HPSEBL, Kala Amb
3. The Sr.Executive Engineer, Electrical Divisionh, HPSEBL,Nahan
4. The Sr Executive Engineer, Electrical System Division, HPSEBL, Nahan

Respondents

And

In the matter of:

Representation under Regulation Nos 16.17 and 18 of the HPERC Consumers Grievances Redresal (Consumer Grievances Redressal forum and Ombudsman) Regulation against the Order dated 11.04.2018 passed by the Consumer Grievances Redressal Forum of HPSEBL, Shimla-9 (H.P.) in Complaint No. 1515/3/17/053 titled as M/s Shivom Cotspin Ltd., Trilokpur Road, Kheri, Kala Amb, Distt. Sirmour (H.P.) through its authorised representative Sh. Rakesh Bansal & Rahul Mahajan, Advotates.

08.08.2018

Present for:

Applicant :

Respondents :

ORDER

(08.08.2018)

Taking in to consideration the application filed by the applicant i.e M/s Shivom Cotspin Ltd., Trilokpur Road, Kheri, Kala Amb, Distt. Sirmour (H.P.) through its authorised representative Sh. Rakesh Bansal & Rahul Mahajan, Advotates Versus HPSEB Ltd. and others on 08.08.2018 in context of the order dated 25.06.2018 passed by the Electricity Ombudsman. Since no new facts, material and evidence has been put forth by the applicant, hence, the review petition filed by the applicant M/s Shivom Cotspin Ltd., Trilokpur Road, Kheri, Kala Amb, Distt. Sirmour (H.P.) is dismissed. The order dated 25.6.2018 passed in the above matter is re-produced, inserting some left out portion which was omitted earlier inadvertently.

Electricity Ombudsman findings and Order:

In view of the above facts, contentions of the parties and examining the documents like replies/rejoinders and arguments, it comes out that appellant has represented against the CGRF order dated 11.04.2018 passed in complaint No.1515/3/17/053. The complainant submitted and argued that DEMAND OF Rs. 18,22,494/- vide notice dated 9.8.2017 on account of IDC by the respondent Board is not recoverable from the appellant because the PAC was issued earlier to the augmentation of 132/11 kV, 25/31.5 MVA Sub-station, Kala Amb.

The Respondent Board, however, argued that the appellant submitted an affidavit/undertaking duly solemnized before Class-I Executive Magistrate stating "that we shall pay the Infrastructure Development Charges as per decision of the HPERC and HPSEB as and when required to do so." **In view of the above facts, contentions of the parties and examining the documents like replies/rejoinders and arguments, it comes out that the appellant is liable to pay the IDC charges as demanded by the respondent Board.** However, respondent Board did not furnish the complete break-up of expenditure occurred for creation of Infrastructure for giving power to appellant. The Respondent Board is directed to render the applicant/complainant the complete break-up of expenditure on account of IDC amount and the methodology to arrive at a figure of 1883.33/ kVA alongwith any additional information required by the complainant within a month and overhaul the account of complainant accordingly as per mechanism final order issued by HPERC for suo moto case no.25 of 2016 on dated 05-10-2016 and further endorsed by Chief Engineer commercial HPSEBL order No. HPSEBL/CE(Comm)/APTEL/VOL-1/2016-10021-10135 dated 1-11-2016. The appellant/complaint is also directed to take up the matter with the Respondent Board to have complete records of expenditure occurred and IDC by respondent for creation of Infrastructure.

The compliance be reported within a month from the issue of this order.

Dated: 08.08.2018


Electricity Ombudsman

1. The Executive Director (Personnel), HPSEB Ltd., Vidyut Bhawan, Shimla-171004
2. The Asstt. Engineer, Electrical Sub-Division, HPSEBL, Kala Amb.
3. The Sr.Executive Engineer, Electrical Divisionh, HPSEBL,Nahan.
4. The Sr.Executive Engineer, Electrical System Division, HPSEBL, Nahan.
5. M/s Shivom Cotspin Ltd., Trilokpur Road, Kheri, Kala Amb, Distt. Sirmour (H.P.)

No.HPEO/Case file 67 of 2018- 1174-78

Dated:08.08.2018



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