

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION**  
**BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/PRO – 09 of 2014**

DATE OF HEARING : 30.04.2014

DATE OF ORDER : 30.04.2014

**IN THE MATTER OF:**

Petition under Section 94 of the Electricity Act, 2003 and regulation 5.5 of the Haryana Electricity Regulatory Commission (Single Point Supply to Employers' Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers) Regulations, 2013 for redressal of grievances.

Petitioner Shri Pankaj Bhalotia

V/s.

Respondent 1. M/s. SPR Buildtech Limited (Builder), Faridabad  
2. M/s. Luxury Facilities Maintenance Services Private Limited (Maintenance Agency), Faridabad  
3. Imperial Estate Resident Welfare Association (RWA), Faridabad  
4. Dakshin Haryana Bijli Vitran Nigam Ltd., Hisar

**QUORUM:**

**Shri R.N. Prasher, Chairman**

**Shri Jagjeet Singh, Member**

**Shri M. S. Puri, Member**

**PRESENT:**

On behalf of the Petitioner:

Shri Pankaj Bhalotia

Shri Vikrant Jain

Shri Gaurav Gupta

On behalf of the Respondent:

Shri Rohit Gosain, GM Operations

Shri S. P. Chopra, Advocate for Respondent No. 1 & 2

Shri Munish Behl, Advocate for Respondent No. 1 & 2

Shri K. K. Gupta, SE/RA, DHBVNL, Hisar

Shri Varun Pathak, Advocate for Respondent No. 4

## INTERIM ORDER

1. The hearing in the case was held on 30<sup>th</sup> April, 2014 as scheduled. All the parties were present.
2. The Petitioner, Shri Pankaj Bhalotia, submitted that the tariff they are being charged by the Respondent-2 is not as per Regulation 5.5 of HERC Single Point Supply Regulations. The anomaly was brought to the notice of the Respondents 1, 2 & 3. It was submitted by the petitioner that the Respondent-1 has installed pre-paid meters and has charged ₹ 25,000/- towards cost of meters. Further Respondent-2 is not providing the bills/invoice for consumption of electricity to the residents of the Society. Additionally, Respondent-2 is also recovering maintenance charges through prepaid electricity meter from January 2014.
3. Shri S. P. Chopra, Ld. Counsel for the Respondent 1 & 2 submitted that RWA had made a request that they cannot pay maintenance charges at one go and hence the same may be charged on monthly basis along with the electricity bill. Accordingly, the Respondent started charging the same from the prepaid meter recharge coupons. Further, Respondent-2 is charging the tariff from the residents as per the electricity bills raised by DHBVNL for single point supply.

The Ld. Counsel for the Respondents 1 & 2 submitted that they had deposited ACD of around Rs. 40 Lacs but they have not received any rebate on account of interest from the Discom on account of ACD.

4. In response to the Respondent 1 & 2 argument regarding not providing rebate on account of interest of ACD deposited by them to Respondent-4 (DHBVNL), Shri Varun Pathak, Ld. Counsel for Respondent-4 informed that they will look into the matter and will submit their reply.
5. Upon hearing the parties, the Commission observes that the petitioner/residents of the Society are being charged for electricity through pre-paid meters but monthly electricity bills are not provided to them. Respondent 1 & 2 is also charging maintenance charges from the petitioner/residents of the Society through pre-paid electric meter. In response to the observations of the Commission, the Ld. Counsel of the Respondent 1 & 2 submitted that they are recovering electricity charges from the flat owners strictly as per tariff applicable for bulk domestic supply category and the monthly electricity bills raised by the Respondent-4 i.e. DHBVNL from time to time. Further they are recovering the maintenance charges through pre-paid meters only on the request of Resident Welfare Association (RWA) and not on their own.
6. In view of the above, the Commission directs the Respondent 1 & 2 to levy electricity charges from the residents of the society strictly as per Regulation no. 5.5 of HERC Single

Point Supply Regulations (Regulation No. HERC/27/2013). The electricity bill should clearly show the energy consumed and tariff applicable including all the relevant details. Further, maintenance charges/any other charges not relating to electricity consumption should not be charged through the electricity meter/bill. The Respondent 2 cannot charge from the residents of the society more than the domestic tariff approved by the Commission.

7. Respondent 1 & 2 sought clarification from the Commission that whether they can continue with pre-paid meters or have to change the meters?
8. The Commission clarifies that they may continue with the prepaid meters but shall provide the residents of the society a distinct electricity bill along with the relevant details. The DG/back-up supply should be separately metered and reflected in the electricity bill.
9. The Commission directs Respondent 4 i.e. DHBVNL, to check and verify that the prepaid meters installed in the society have the facility to separately record the two supplies i.e. DISCOM supply and back-up supply. The Nigam should also verify that the installed prepaid meters are capable of charging the tariff of domestic supply category as per the slabs approved by the Commission in its tariff order for the relevant year. DHBVNL should also verify whether the electricity bills are being generated for each consumer. If it is being generated then besides charges for electricity consumption what other charges, if any, it includes.
10. The Commission further directs the Petitioner that for claiming any refund of excessive charges paid initially by them to the Respondent 1 & 2, they should submit complete facts & figures in support of their claims.
11. The Commission allows six week time to the parties for carrying out their respective work and to submit their report/reply.
12. The Ld. Counsel of the Respondent-4 handed over a copy of their reply to the Petitioner and Respondent 1 & 2 and the parties concerned may submit their rejoinder, if any, to the Commission with a copy to the Respondent-4.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on April 30, 2014.

Date: 30/04/2014

Place: Panchkula.

(M. S. Puri)  
Member

(Jagjeet Singh)  
Member

(R.N.Prasher)  
Chairman