



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA

Haryana Electricity Regulatory Commission

Bays No. 33 - 36, Sector – 4, Panchkula-134109

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(Regd. Post)

Appeal No. : 19/2018  
Received on : 20.08.2018  
Registered on : 20.08.2018  
Date of Hearings : 17.09.2018, 8.10.2018  
& 15.10.2018  
Date of Order : 16.10.2018

In the matter of:-

Appeal against the orders of CGRF, DHBVNL, Hisar, dated 09.07.2018, in case No.2141/2018.

Sh. Suresh Kumar S/o Sh. Gyan Chand, New Swaraj Agency, Opp. KM Govt. College, Patiala Road, Narwana, Distt. Jind.

Appellant / Complainant

Versus

DHBVNL

Respondents

Before:

Er. R.C. Mahajan, Electricity Ombudsman

Present on behalf of Appellant

None

Present on behalf of Respondents

1. Sh Bhajan Singh, SDO/Op., City Sub Division, Narwana.
2. Sh. Sukhbir Singh, UDC

**ORDER**

Sh. Suresh Kumar, S/o Sh. Gyan Chand, New Swaraj Agency, Opp. KM Govt. College, Patiala Road, Narwana, Distt. Jind, has filed an appeal against the orders of the CGRF, Hisar, dated 09.07.2018, passed in case no. 2141/2018.

A brief submission made in the appeal is as under:-

The Appellant has an electric connection bearing A/c No.ZZ03/1585, with a sanctioned load of 9.2 kw. A bill dated 12.01.2018, amounting to Rs.1,92,371/-, was

issued by the SDO/Op, Sub Divn., Narwana, showing the consumption of 31547 kvah & 2560 kwh units during 97 days only. The Appellant submitted that as per the Nigam's specification, 10000 kvah could have been consumed during 97 days. Giving the reference of the instructions of the Chief Engineer/Commercial, DHBVN, Hisar, dated 3.1.2018, the Appellant stated that the consumption recorded by the meter was inflated. He further submitted that these instructions were not in his knowledge while pleading the case before the Forum and the Respondent SDO concealed the same with a view to harass the Appellant.

The Appellant prayed to set aside the inflated bill along with the compensation of Rs.50,000/-, in light of the facts narrated in the appeal.

The appeal was received on 20.08.2018, and the same was registered as Appeal no.19 of 2018. Notice of motion was issued on 23.08.2018 and the first date of hearing was fixed for 17.09.2018. The Respondent SDO was directed to submit the reply within 15 days.

The hearing was held on 17.09.2018, as scheduled. The SDO/Op. City, Narwana, appeared on behalf of the Respondent Department. None appeared on behalf of the Appellant. However, the Appellant, through mail dated 17.09.2018, intimated that due to the untimely death of his aunt, he was not able to attend the hearing and requested for a fresh date of hearing in the matter.

The reply submitted by the Respondent SDO, vide email dated 12.09.2018, had been taken on record and the Respondent SDO was directed to supply a copy of the same to the Appellant also.

During the hearing, the Respondent SDO submitted that the M & T lab, Hisar, had forwarded the meter to the M & T lab Gurugram, for checking the accuracy of the meter on leading power factor. He stated that as per the report, the accuracy of the meter was found within the permissible limits. Regarding checking of the accuracy of the meter on lagging power factor, the M & T lab, Hisar had certified that the accuracy of the meter was within the permissible limit.

The Respondent SDO further submitted that as per the final report of the Hisar Lab, reason for the difference in kwh and kvah was due to the low power factor. He further stated that it was the duty of the Appellant to maintain the power factor. As far as the letter

dated 3.1.2018, issued by the Chief Engineer/Commercial, Hisar, is concerned, the same was issued on the basis of the discussions held and no such sales circular/instructions had been issued by the Nigam in this regard. As such, these instructions were not being followed in the Nigam.

On query regarding the instructions of permissible limit in respect of the leading power factor, the Respondent SDO requested to allow at least 10 days time to produce the necessary instructions/documents. He further submitted that the case was deliberated in the Consumer Forum and no benefit was given to the Appellant as this was a case of low power factor and accumulation of reading.

Acceding to the request of both the parties, the matter was adjourned and the next date of hearing was fixed for 8.10.2018, in the office of the undersigned.

The hearing was held on 8.10.2018, as scheduled. The SDO/Op., City, Narwana, attended the hearing. Neither the Appellant appeared nor any intimation was been received from him.

The Respondent SDO submitted that the results, in respect of the leading power factor, are within limits. However, he could not produce any relevant document in this regard. He submitted that the matter was taken up with the SDO, M & T, but could not get any certificate/instructions in this regard. He further stated that the Appellant had once again not attended the hearing as he knew that there was no merit in the case. He reiterated that this was a case of low power factor and accumulation of reading.

In the interest of justice, the case was adjourned to 15.10.2018 at 11.00 AM. It was directed that the Respondent SDO should submit the requisite instructions/certificate of M & T lab on or before the next date of hearing. In case the Respondent SDO is not able to arrange the requisite document, an officer from M & T lab, who is well conversant with the issue, not below the rank of SDO, should attend the hearing.

The hearing was held on 15-10-2018, as scheduled. The Respondent SDO attended the hearing. Once again none appeared on behalf of the Appellant.

During the hearing, the Respondent SDO submitted that in the letters of the SDO, M & T lab Gurgaon and SDO, M & T Lab, Hisar, both dated 8.10.2018, it has been mentioned that the results of the meter in leading power factor and lagging power factor are within permissible limits. Both the letters have been taken on record.

The Respondent SDO submitted that the Appellant had informed the Commercial Assistant his office that he would not be attending the hearing. He stated that the Appellant once again has not attended the hearing as he knows that there was no merit in the case. He further requested that the case was deliberated in the Consumer Forum and the appeal of the Appellant be dismissed.

Despite giving the opportunities, the Appellant has not attended the hearings. It seems that he is not interested in defending/pursuing his case. Under the circumstances, I do not find any ground to interfere in the orders passed by the Consumer Forum.

Keeping in view the above, material available on record and the submissions made by the Respondent SDO, the orders passed by Consumer Grievances Redressal Forum are upheld and the appeal is disposed of accordingly.

The File may be consigned to the record.

Given under my hand on this day of 16<sup>th</sup> October, 2018.

**Dated: 16<sup>th</sup> October, 2018**

**Sd/-  
(R.C.Mahajan)  
Electricity Ombudsman, Haryana**

**Endst. No. HERC/EO/Appeal No. 19/2018/ 2187-94**

**Dated: - 17.10.2018**

**A copy of the above is forwarded to the following:**

- 1. The Managing Director, DHBVNL, Vidyut Sadan, Vidyut Nagar, Hisar.**
- 2. The Legal Remembrancer, HVPNL, Shakti Bhawan, Sector-6, Panchkula.**
- 3. The Chief Engineer, 'Operation', DHBVNL, Vidyut Nagar, Hisar.**
- 4. The Chairman, Forum for Redressal of Consumer Grievances, DHBVNL, Room No. 149-150, D-Block, Ground Floor, Vidyut Sadan, Vidyut Nagar, Hisar-125005 along with case file.**
- 5. The Superintending Engineer, 'Op.' Circle, DHBVNL, Hansi Road, Near Patiala Chowk, Near Vita Milk Plant, Jind.**
- 6. The Executive Engineer, Operation Division, DHBVN, Near K.M. College, Tehsil Narwana, Distt. Jind.**
- 7. The SDO/Operation, Sub Division Narwana, DHBVNL, Distt Jind.**
- 8. Sh. Suresh Kumar S/o Sh. Gyan Chand, New Swaraj Agency Opp. KM Govt. College, Jind-Patiala Road, Narwana, Distt. Jind-126116.**