



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. : 24/2018

Received on: 14.09.2018

Registered on: 18.09.2018

Date of Order: 19.09.2018

In the matter of:-

Appeal against the order of Forum for Redressal of Consumer Grievances, DHBVN, Hisar, dated 27.08.2018, in case no. 2261 of 2018.

Sh. Shankar Lal, A-2/37, 3rd Floor, Janakpuri, New Delhi.

....Appellant/Complainant

Versus

DHBVNL

....Respondents

ORDER

Sh. Shankar Lal, R/o A-2/37, 3rd Floor, Janakpuri, New Delhi, has made an appeal against the order of the CGRF, DHBVN, dated 27.08.2018, in case no. 2261/2018. In this appeal, the Appellant has prayed to set aside the Forum's order and give relief as prayed for.

As per the documents available on record, it is observed that the CGRF, DHBVN, vide order dated 27.04.2017, disposed of the representation of the Appellant and the operative part of the decision is as under:-

" After going through the record available in the file and hearing the parties, the Forum decides to dispose off the complaint with no direction as it is a case of unauthorized use of energy and Forum decides to dispose of the complaint as time barred and beyond jurisdiction. However, the complainant is free to take up the matter with the appropriate authorities. The case is closed. Parties to bear their own cost."

It has also been observed that the matter relates to the unauthorized use of electricity under section 126 of the Electricity Act, 2003. Further, Regulation 2.39 of the HERC Regulations No. HERC/37/2016, states that the Forum may reject the grievances at any stage which fall under sections 126, 127, 135 to 139, 152 & 161 of the Act.

Since, the cases relating to unauthorized use of electricity do not fall under the jurisdiction of the Consumer Grievances Redressal Forum as well as the Electricity Ombudsman, the appeal filed by the Appellant is not maintainable and accordingly, the same is rejected. However, the complainant is at liberty to take up the matter with the appropriate authority as per the provisions in the Electricity Act, 2003.

The File may be consigned to the record.

Given under my hand on this day of 19th September, 2018.

sd/-

(R.C.Mahajan)

Electricity Ombudsman, Haryana

Dated: 19th September, 2018

Endst. No. HERC/EO/Appeal No.24/2018/1778-85

Dated: - 19.09.2018

A copy of the above is forwarded to the following:

1. The Managing Director, DHBVNL, Vidyut Sadan, Vidyut Nagar, Hisar.
2. The Chief Engineer, 'Operation', DHBVNL, Vidyut Nagar, Hisar
3. The Legal Remembrancer, HVPNL, Shakti Bhawan, Sector-6, Panchkula.
4. The Chairman, Forum for Redressal of Consumer Grievances, DHBVNL, Room No. 149-150, D-Block, Ground Floor, Vidyut Sadan, Vidyut Nagar, Hisar-125005.
5. The Superintending Engineer, 'Op' Circle-II, DHBVNL, SCO-4, Sector 31, Huda Market, Near Om Sweets, Gurugram.
6. The Executive Engineer/Operation, Sub Urban Sub Division, DHBVN, SCO-4, Sector 31, Huda Market, Near Om Sweets, Gurugram.
7. The Sub Divisional Officer, Operation DLF Sub Division, DHBVN, SCO-4, Sector 31, Huda Market, Near Om Sweets, Gurugram.
8. Sh. Shankar Lal, A-2/37, 3rd Floor, Janakpuri, New Delhi-110058.