



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. : 10/2019
Received on : 15.04.2019
Registered on : 18.04.2019
Date of Hearing : 11.06.2019
Date of Order : 21.06.2019

In the matter of: -

Appeal against the order dated 14.03.2019 of CGRF, DHBVNL, Hisar in case no. DH/CGRF2378 of 2019

Sh. Anil Kumar S/o Sh. Mohinder Singh H. No.1756, M.C Colony, Loharu Road, Charkhi Dadri.

Appellant/Complainant

Versus

DHBVNL

Respondents

Before:

Mrs. Surbhi Jain, Electricity Ombudsman

Present on behalf of Appellant

Sh. Mahinder Singh

Present on behalf of Respondents

Sh. Sunil Kumar, LDC O/o SDO 'Op' City S/ Divn., DHBVN Charkhi Dadri

ORDER

The appeal against the order dated 14.03.2019 of CGRF, Hisar was received on 15.04.2019. The appellant has attached the following documents in addition to those submitted by him in his complaint to CGRF

1. A copy of PDCO No.58/79 dated 26.2.2012, and
2. Inspection Report of the site of the appellant by Lineman and JE on 12.4.2018.

In the first hearing on dated 06.05.2019, the representative of the Respondent SDO submitted the reply of the appeal which was handed over to the appellant for rejoinder.

It was observed that the reply submitted by the respondent SDO was silent about the PDCO and the inspection report dated 12.4.2018. Accordingly, the respondent SDO was directed to verify the same from his record and submit a copy of meter reading records and copy of the consumer ledger of the appellant.

During the hearing on 29.05.2019, the representative of the respondent SDO submitted that the PDCO No. 58/79 dated 26.2.2012 is not available in their office and stated that no book No. 79 is found. The appellant also submitted the rejoinder on the reply of the respondent SDO.

After hearing both the parties, it was directed that the respondent SDO shall submit an affidavit certifying whether the PDCO Book No.79 was ever issued to his office. He shall further submit an affidavit whether any other pages of PDCO Book No.79 have been used in his office during the years 2011 or 2012. Thirdly, the SDO was directed to inform why no action was taken in accordance with sales circular / instruction of the Nigam on account of non-payment by the appellant in his account number CC-21-856 after July, 2012.

He was further directed to submit the meter reading recording book and attested copy of the consumer ledger of the appellant, as already asked in the order dated 06.05.2019. He was also directed to determine and submit the genuineness of the report prepared by the lineman and JE of his office on 12.4.2018, copy of which was enclosed and be present on the next date of hearing.

During hearing on 11.06.2019, the Respondent SDO submitted an affidavit which was not found in accordance with the interim order dated 29.5.2019. He requested an opportunity to submit another affidavit, complete in all regards within a period of 3 days. Accordingly, an affidavit was submitted on 14.6.2019, which is reproduced as under: -

1. That PDCO Book No. 79 was never issued to office of SDO Operation City Sub Division DHBVN Charkhi Dadri.
2. That no record found in the office of SDO Operation City Sub Division Charkhi Dadri regarding PDCO Book No.79
3. That no any page from PDCO book No. 79 ever used in the office of SDO Operation City Sub Division Charkhi Dadri during the year 2011-12.
4. That there is no record entered in advice register of SDO Operation City Sub Division Charkhi Dadri regarding PDCO Book No. 79 during the year 2011-12.

On perusal of the affidavit, it is observed that though the respondent has denied the existence of PDCO Book No. 58/79, he has neither refuted the genuineness of the inspection report dated 12.4.2018 nor any justification has been provided for not taking action against the appellant for disconnection due to non-payment of two consecutive bills in accordance with Sales Instruction No. 40/2007

Keeping in view the material available on record and the submissions of the appellant, undersigned is of the view that the Respondent SDO has failed to explain the reason for not disconnecting the electricity supply of the appellant on account of defaulting amount after July, 2012 in view of the Nigam's sales instruction No. 40/2007. Further from the failure of the Respondent to produce the meter reading record and the inspection report dated 12.4.2018, the respondents have not been able to establish that any supply of electricity has been made to the premises of the appellant beyond 26.2.2012. As such the connection is deemed to be disconnected after the second defaulting cycle and the Respondent SDO is directed to issue revised bill accordingly after following due process as per instruction of the Nigam in this regard within 2 weeks of the order.

It is a matter of grave concern that a PDCO was issued by an official of the licensee without the PDCO book being officially issued and entered into record. The concerned officers are directed to enquire into the matter and take appropriate action.

The case is accordingly disposed of. File may be consigned to record.

Given under my hand on this day of 21st June, 2019.

Dated: - 21.06.2019

Sd/-
(Surbhi Jain)
Electricity Ombudsman, Haryana

Endst. No. HERC/EO/Appeal No.10/2019/6451-57

Dated: - 24.6.2019

A copy of the above is forwarded to the following:

1. The Chairman cum Managing Director, DHBVNL, Vidyut Sadan, Hisar-125005
2. The Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector – 6, Panchkula.
3. The Chief Engineer 'Op.', DHBVNL. Vidyut Sadan, Vidyut Nagar, Hisar.125005
4. The SE (Op) Circle, DHBVNL, Bhiwani-127021
5. The Executive Engineer, Operation, Division, DHBVNL, Charkhi Dadri .127306
6. The SDO/Operation City, S/Divn, DHBVNL Charkhi Dadri.127306
7. Sh. Anil Kumar S/o Sh. Mohinder Singh, House No. 1756, M.C.Colony, Loharu Road, Charkhi Dadri 127306.