



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA
Haryana Electricity Regulatory Commission
Bays No. 33 - 36, Sector – 4, Panchkula-134109
Telephone No. 0172-2572299; Website: - herc.nic.in
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(Regd. Post)

Appeal No. : 29/2022
Registered on : 27.10.2022
Date of order : 27.12.2022

In the matter of: -

Representation for non-compliance of the order dated 16.06.2022 passed by CGRF, DHBVN, Gurugram in case no. 4168/2022.

Sh. Randhir Singh, Village Rajgarh, PO Karela, Distt- Jind.

Appellant/Complainant

Versus

DHBVNL

Respondents

Before:

Sh. Virendra Singh, Electricity Ombudsman

Present on behalf of Appellant:

Sh. Sukhbir Singh S/o Sh. Randhir Singh

Present on behalf of Respondents:

Adv. Sanjay Bansal

Sh. Vikas Bhardwaj, SDO 'Op'/Sub Division, Julana, Jind.

ORDER

A. Sh. Randhir Singh, Village Rajgarh, PO Karela, Distt- Jind has filed an appeal for non-compliance of the order dated 16.06.2022 passed by CGRF, DHBVN, Gurugram in case no. 4168/2022. The Appellant submitted that: -

He is having electricity connection bearing consumer no.8276751000. He filed a complaint, last year, against Electricity department Sub Division Julana, Jind with CGRF, DHBVN, Gurugram regarding over billing. The Forum made decision in his absence even after giving prior intimation that he is unable to attend hearing and asked for next date of hearing. The Forum decided that complainant have to pay 5 instalments out of which he already have paid 3 instalments. SDO, Julana also intimated to the CGRF authorities that electricity department had made correction in his bill on his own behalf, when he asked electricity department about his correction of bill. The dealing concern Sunita Devi told him that out of Rs.12,565/-, an amount of Rs.7,053/- was lessened and he have to pay Rs.5,512/- till 06.06.2022 and he paid this amount on dated 22.07.2022. The complainant

shocked to see his bill in the next billing cycle, which shows Rs.21,000/-. When he asked about this from the authorities, the dealing concern replied that she was mistaken and he have to pay Rs.7,053/- to the department extra instead of lessened amount. The authorities dislocated his complaint and cheated him by not making any correction in his bill, which is mentioned in the order of the forum and he was not satisfied with the decision of the forum and desired to make appeal to the higher authorities. The electricity bill was made on average basis despite that his meter was in running condition. According to the application of the complainant he stated that he was being harassed by the staff and facing problems for the last 11 – 12 months.

The forum was mis led to decide and disposed off the case, after hearing both the parties on 15.6.2022 vide which SDO submitted that the bill of the complainant had been corrected and the complainant was satisfied, with direction to SDO to accept the payment in 5 instalments out of which complaint had already paid three (3) instalments and the case is closed without costs on either of the parties

- B.** The appeal was registered on 27.10.2022 as an appeal No. 29/2022 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 10.11.2022.
- C.** SDO 'Op'/Sub Division, Julana, Jind vide his email on 07.11.2022 has submitted as under: -

In this connection, it is intimated that this office overhauled the A/c ID 8276751000 in the name of Sh. Randhir S/o Ran Singh R/o Rajgarh vide SC&AR No. 1/128 and No. 1871/123. Now consumer paid Rs. 5512 on dated 22-7-2022 the outstanding balance 18473/- as on today.

As per order of CGRF forum on dated 16-6-2022, the honorable forum has directed concerned SDO to accept the payment in 5 nos of installments of total dues & out of which the compliant has already paid 3 installments & rest of the outstanding balance i.e 18473/- is payable in pending 2 nos of installment & closed the case. But now the compliant is not satisfied with the decision & availing the liberty to file appeal before electricity ombudsman, HERC Sec-4, Panchkula.

- D.** SDO 'Op'/Sub Division, Julana, Jind vide his email on 09.11.2022 has once again submitted as under: -

Please refer previous written correspondence vide the office Memo No.603 dated 10-5-2022 & Memo No. 2590 dated 04-10-2022.

In this connection, it is intimated that in month of Nov-Dec. 2020 the MCO case for A/C no. 8276751000 of Sh. Randhir S/o Sh.Ran Singh R/o Village Rajgarh vide MCO No 63/7362 dated 09/11/2020 was initiated. But due to upgradation of Sub-division Julana from HARTRON to RAPDRP system the same MCO case was not updated online due to which even after new meter was physically replaced on the site the same was not updated in billing cycle. on 09/2021 the MCO case was closed from CBO and bill was served to the compliant of Rs.17577/- for 2160 consumed units. The compliant has shown displeasure on this and approaches the sub division office Julana for which revenue section found merit in his grievance and made a sundry for the refund in favor of the complaint and Rs. 9143/- was Payable.

Still Sh. Randhir was not satisfied, therefore the complete overhauling of his A/C Id 8276751000 vide SC&AR No. 1/128 and No.1871/123 was done from the period of 11/2019 to 07/2021. Now the consumer has paid Rs.5512 on dated 22/7/2022 and the outstanding balance of 18473/- is standing as on today. As per the order of CGRF Forum on dated 16.06.2022, the honourable forum has directed this office to accept the payment in 5 nos. of installments of total dues & out of which the complainant has already paid 3 installments and rest of the outstanding balance amount i.e, Rs.18473/- is payable in remaining 2 no. of installments and closed the case. But now the complainant is again not satisfied with the decision of CGRF & Availing the liberty to file appeal before the Electricity ombudsman, HERC Sec-4, Panchkula.

- E.** The hearing was held on 10.11.2022, as scheduled. At the outset the appellant submitted that, after decision of CGRF around 7053/- rupees has been charged on consumer. The respondent SDO could not explain detail of the charging. Accordingly, the respondents were directed to submit by 14.11.2022 the detail of the amount charged on the consumer along with Nigam's instructions that have been followed in charging the amount. The matter was adjourned for 15.11.2022.
- F.** The hearing was held on 15.11.2022, as scheduled. At the outset, the counsel for the respondents submitted that he has been engaged recently and requested to grant some time to file reply. Accordingly, the matter was adjourned for 08.12.2022.
- G.** Counsel for the respondent vide his email on 04.12.2022 has once again submitted as under: -

1. That the appellant Randhir Singh has an electricity connection bearing account no. 8276751000 under SDO (OP), S/Divn., DHBVN, Julana.

2. That in the month of Nov.- Dec. 2020, the respondent department started the process of meter change order for account no. 8276751000, vide MCO no. 63/7362 under the scheme of Haryana Govt. 'Mahara Gaavn Jagmag Gaavn'. But due to up gradation of Sub-Division Julana from HARTRON to RAPDRP system, this connection was not updated online because it takes 8 to 10 months for updating online. This is the essential part of the system that it takes some times to update in billing cycle. So due to which even after the new meter was physically replaced on the site, the same was not updated in billing cycle.

3. That on 09/2021 the respondent department has issued bill to the appellant amounting to Rs. 17,577/- for 2160 consumed units. When the appellant approached the sub-division Julana to rectify the bill then the revenue section of the department scrutinizes the records and made a sundry for the refund in favor of the appellant, in which Rs. 9143/- was refunded.

4. That the appellant was not satisfied, therefore the respondent department overhauled his account no. 8276751000 vide SC & AR No. 1871/123 was done from the period of 11/2019 to 07/2021.

5. That the appellant has put the allegation that order of Hon'ble CGRF is baseless. As per the order of CGRF, the complainant was not present on 15-06-2022, but on that date representative of the complainant was present. Moreover, after going through the record available on file and hearing both the parties, the Hon'ble Forum decided to dispose of the case with direction to the SDO to accept the payment in 5 installments out of which the complainant has already paid

three installments. At that time the appellant was satisfied with the order of CGRF. And he has paid Rs. 5512/- on 22-07-2022, But after that he changed his mind.

6. That after that the appellant did not pay any amount to the respondent department, which is outstanding on the appellant as per the order of Hon'ble CGRF. An amount of Rs. 19,934/- is still outstanding against the appellant till 22-11-2022. So, the respondent department has issued bill of outstanding amount to the appellant. But the appellant was again not satisfied with the decision of CGRF and filed an appeal before this Hon'ble Electricity Ombudsman, HERC, sector-4, Panchkula.

It is, therefore, prayed that the appeal of the appellant may kindly be dismissed, as the complete overhauling of the account number 8276751000 vide SC & AR No. 1/128 and No. 1871/123 was done by the respondent department and bills were adjusted. Any other relief to which this Hon'ble Commission deems just and proper may also be awarded, in the interest of justice.

- H.** The hearing was held on 08.12.2022, as scheduled. The respondent could not explain the details of different Sundries charged on the consumer, accordingly the respondent SDO along with CA was directed to visit office of Electricity Ombudsman to show all concerned record of consumer on 10.12.2022 and the matter was adjourned to 27.12.2022.
- I.** SDO 'Op'/Sub Division, Julana, Jind vide his email on 26.12.2022 has once again submitted the revised reply as under: -
1. The bills of the appellant bearing account no 8276751000 were issued on the basis of average being meter defective. The meter was changed wide MCO No. 63/7362. Due to up gradation of Sub - Division Julana from HARTRON to RAPDRP system, this connection was not updated online and finally updated in the CBO in the month of 9/2021. The office scrutinizes the records and made a sundry for the refund in favor of the appellant, in which Rs. 9143/- was refunded after considering 2160 units (from 11/2020 to 9/2021 that is for 11 months charged as per slab rate)
 2. Thereafter a representation has been received from the appellant regarding overhauling of the account. The account of the consumer was overhauled on the basis of new meter reading and Rs.7053/- has been charged.
 3. The account of the appellant has been overhauled after taking 360 units per billing cycle whereas the consumption of the appellant during May, July and September is 402, 420 and 481 units respectively.
 4. Thereafter that the appellant did not pay any amount to the respondent department, which is outstanding against the appellant as per the order of Hon'ble CGRF. An amount of Rs. 19934- is still outstanding against the appellant till 22-11-2022. So, the respondent department has issued bill of outstanding amount to the appellant. But the appellant was again not satisfied with the decision of CGRF and filed an appeal before this Hon'ble Electricity Ombudsman, HERC, sector-4, Panchkula.
 5. Now as per direction of Hon'ble Ombudsman the A/c of Sh. Randhir was again reviewed thoroughly & found that there was some miscommunication occurred due to which the latest sundry was wrongly charged. Hence to provide the fair corrective action as per Nigam norms a new sundry is made

vide sundry No. 50 dated 16-12-2022 and amount of Rs. 8690/- from 11/2021 to 11/2022 is taken based on current bill.

6. The same was conveyed to the complainant for which he was found satisfied & willing to pay the current bill in 2 No. installment a written consent is also given by the complainant in which he has mentioned that he is satisfied by the action of Nigam and do not want to carry forward this case anymore.

J. The hearing was held on 27.12.2022, as scheduled. During the hearing, both the parties were present through video conferencing. At the outset, the respondent SDO intimated that the account of the appellant has been overhauled and conveyed to him. The appellant has intimated that he is satisfied with the action taken by the respondent and does not wish to pursue the matter further.

K. Keeping in view the above, material available on record and the submissions made by both the parties, the appeal is disposed of as “settlement by conciliation”

Both the parties to bear their own costs. File may be consigned to record.
Given under my hand on 27th December, 2022.

Dated: 27th December, 2022

(Virendra Singh)
Electricity Ombudsman, Haryana

CC-

Memo. No. HERC/EO/Appeal No.29/2022/

Dated: -

1. Sh. Randhir Singh, Village Rajgarh, PO Karela, Distt- Jind.
2. The Managing Director, Vidyut Sadan, Vidyut Nagar, DHBVN, Hisar -125005.
3. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula – 134109.
4. The Chief Engineer “Op’, Vidyut Sadan, Main Delhi Road, Vidut Nagar Hisar - 125005 (Opposite Mid Town Grand Hotel)
5. The Superintending Engineer ‘Op’ Circle, DHBVN, Jind.
6. The Executive Engineer ‘Op.’ Division, DHBVN, Jind.
7. The SDO ‘Op’/Sub Division, Julana, DHBVN, Distt- Jind.