



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  
E-mail: [eo.herc@nic.in](mailto:eo.herc@nic.in)

(Regd. Post)

Appeal No : 93/2023  
Registered on : 18.10.2023  
Date of Order : 15.11.2023

In the matter of: -

Appeal against the order dated 16.08.2023 passed by CGRF, UHBVNL, Kurukshetra in complaint no. UH/CGRF- 141/2023.

Shri Ram Niwas, House No. 623, Batra Colony, Panipat

**Appellant**

Versus

1. The Executive Engineer Operation, UHBVN, Panipat

**Respondent**

2. The SDO Operation, Model Town Sub Division, UHBVN, Panipat

**Before:**

Sh. Virendra Singh, Electricity Ombudsman

**Present on behalf of Appellant:**

Shri Ram Niwas

**Present on behalf of Respondents:**

Shri Sanjay Bansal, Advocate

Shri Kuldeep Singh Punia, SDO 'Op.', M/Town S/Divn., Panipat

**ORDER**

**A.** Shri Ram Niwas has filed an appeal against the order dated 16.08.2023 passed by CGRF, UHBVNL, Kurukshetra in case No. 141/2023. The appellant request for following relief as under: -

निवेदन है कि मैं राम निवास दिनांक 11.09.2015 को बिजली का घरेलू नया कनेक्शन लिया जिसका दिनांक 20.12.2022 तक टोटल कन्जूम यूनिट 47,896 जिसका 4 रुपये 80 पैसे के हिसाब से 2,29,900/- रुपये जिसमे से 1,84,000/- रुपये जमा कर दिया और बिजली का शेष रकम 45,900/- रुपये है इसे किस्तों में जमा करने की कृप्या करे।

बिजली कनेक्शन की तारीख:- 11.09.2015	=	00 युनिट
मीटर बदलने की तारीख:- 20.12.2023	=	47,895
7 वर्ष 3 माह में कुल कन्जूम युनिट	=	47,896
बिजली बिल स्लैब के हिसाब से रेट	=	4.80
कुल बिल की रकम	=	2,29,900
बिजली बिल डिपोजिट	=	1,84,000
बकाया राशी	=	45,900

जबकि बिजली विभाग के क्लर्क जबरन 5,97,351/- रुपये का बिजली बिल बनाया हुआ है जो कि सरासर गलत है। यानी कि 3,67,451/- रुपये हैं।

में राम निवास पुत्र श्री विश्वनाथ सिंह निवासी चतरा कालोनी, वार्ड 22, जिला पानीपत का रहने वाला हूँ मेरे पांच बच्चे हैं जो मैंने अपने परिवार के गुजर बसर के लिए कुछ कमरे किराये पर भी दिये हुए हैं जो अचानक दिनांक 06.05.2023 की बिजली विभाग द्वारा मेरे घर की बिजली आपूर्ति बंद कर दी गई जिससे सभी किरायेदार कमरा खाली करके चले गये जिससे अब मेरा परिवार भुखमरी की कगार पर है बिजली बिल समय पर नहीं जमा करने के निम्न कारण हैं।

1. जो दिनांक 08.10.2016 को भारत सरकार के नोट बंदी के कारण मैं बेरोजगार हो गया।
2. एफ आई आर न० 293/2018 थाना माडल टाउन पानीपत में दर्ज मुकदमें के कारण मेरे मकान पर किरायेदारों ने कब्जा कर लिया वो भी प्रसाशन की जानकारी में व मेरे सभी किरायेदारों से मकान का किराया जबरन वसूल लिया और मुझे मजबूरन किराये के मकान में रहना पड़ा जिससे मेरी आर्थिक स्थिति खराब हो गई।
3. एफ आई आर 1045/2019 को मेरी ई रिक्शा चोरी हो गई जिससे मुझे लाखों रूपयों का नुकसान हो गया।
4. दिनांक 22.06.2020 को मेरी ई रिक्शा असंध रोड पुलिस चौकी के प्रभारी द्वारा जबरन जप्त कर ली गई जो पैसों के अभाव में 6 माह तक चौकी में ही खड़ी रही जिससे मैं 6 माह तक बेरोजगार रहा।
5. दिनांक 21.11.2020 को मेरे छोटे भाई सतेन्द्र कुमार को लकवे की बिमारी होने के कारण उनके परिवार व दवाईयों की खर्चा मेरे उपर आ गया जिससे मेरी आर्थिक स्थिति खराब हो गई।
6. दिनांक 09.11.2022 को टोल टैक्स के पास आवार साँढ़ / पशुओं के गलत साईड से भागने के कारण मेरा एक्सीडेन्ट हो गया जिसमें मेरा दायाँ पैर बुरी तरह जखमी हो गया और मेरे पैर की हड्डी चुर चुर हो गई है जिससे मैं विकलांग हो गया हूँ और पिछले 8 माह से मैं बेंड रेस्ट पर हूँ।

इसलिए जनाब से मेरी प्रार्थना है कि मेरी उपरोक्त सारी परेशानी कारणों को देखते हुए तत्काल बंद बिजली का कनेक्शन शुरू किया जाए जो इस भीषण गरमी में हमारा परिवार डिपेशन व भुखमरी के कगार पर खड़ा है। और मेरा बिजली बिल ठिक किया जाये व बकाया बिजली बिल को किस्तों में जमा किये जाने बारे विभाग को कहा जाय व सरर्वाज माफ किया जाए आपकी अति कृप्या होगी।

**B.** The appeal was registered on 18.10.2023 as an appeal No. 93/2023 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 15.11.2023.

**C.** The counsel for the respondent SDO vide email dated 13.11.2023 has submitted reply which is as under: -

1. That it is pertinent to mention here that the date of release of connection to the appellant was 11.09.2015 but the consumer was defaulter in paying

his bills regularly from 01.03.2017 to till date, while he has used the electricity. So, on this ground the appellant is not entitled to waive off the surcharge.

2. That as per office record of the respondent department, the consumer bill in the month of January 2023, AV charged to consumer due to MCO enter and this bill rectified/ corrected in the bill of June 2023 amounting to Rs. 91,663/- vide SC & AR No. 231/ 238. So, amount of Rs. 91,663/- has already been adjusted and as per the ledger record of the respondent department, the consumer bill is ok. So, the present appeal is liable to be dismissed.

**ON MERITS: -**

1. That the respondent department has released the electricity connection to the appellant on 11-09-2015 and from the date of release of connection, the consumer paid his bill on 21-03-2016 an amounting to Rs. 3,552/-. After that the consumer was defaulter from 21-03-2016 to 01-03-2017. And the appellant has deposited an amount of Rs. 30,000/- on 01-03-2017 against the amount of Rs. 35,290/-. But after that the appellant has not paid his bill.
2. That the appellant filed a complaint at CM Window on 20-01-2022 vide complaint no. CMOFF/N/2022/007020 regarding waive off surcharge. The respondent department has replied of this complaint on 27-01-2022 that "Complainant has not paid his bill from 01-03-2017 to till date. The complainant bill is outstanding as on 19-01-2022 i.e. Rs. 3,56,546/- is the reading bill and Nigam has no provision for waive off surcharge and bill".
3. That the appellant again filed a complaint on CM Window on 28-03-2022 vide complaint no. CMOFF/ N/ 2021/ 032093. The respondent department has again replied of this complaint on 21-04-2022 that "The complainant bill is outstanding as on 01-04-2022 i.e. Rs. 3,83,240/- is the reading bill and Nigam has no provision for waive off penalty & surcharge for electricity bill".
4. That in Sept. 2022 SWS Scheme circular received by the respondent department and the message conveyed to the appellant to avail SWS Scheme 12/2022. In November 2022, the appellant had availed SWS Scheme in installment and paid 1<sup>st</sup> installment of Rs. 1,23,000/- on 30-11-2022. But the appellant has not paid another 2 installments as per

SWS Scheme. Due to not fulfillment of terms and condition of SWS 12/2022 scheme the consumer is out of scheme.

5. That as per the office record of the respondent department, the consumer bill in the month of January 2023, AV charged to consumer, due to MCO enter and this bill rectified/ correct in the bill of June 2023 amounting to Rs. 91,663/-. So, amount of Rs. 91,663/- has already been adjusted and as per the ledger record of the department, the consumer bill is ok.
6. That after that the consumer had filed complaint in CGRF vide complaint no. 141/ 2023. As per the CGRF order dated 16-08-2023, the CGRF has clearly mentioned that the bill issued to the consumer is O.K., as per reading recorded on the meter and chargeable from the consumer.

That the contents of prayer clause are not admitted in view of the submissions given above.

So, it is, therefore, prayed that keeping in view the above contentions of the respondent department the present appeal of the appellants may kindly be dismissed. And pass any other order in favour of respondent in the interest of justice.

- D.** Hearing was held today, as scheduled. Both the parties were present during the hearing through video conferencing. Both the parties argued the matter in length reiterating their written submissions as abovementioned.
- E.** After hearing both the parties and going through the record made available on file, it is observed that the appellant was defaulter in paying electricity bills due to which late payment surcharge added in the bill. The consumer applied for Surcharge waiver scheme launched by UHBVN (SWS 12/2022) for paying principal amount of bill in three installments but he deposited only one installment and did not deposit other two installments in prescribed time due to which surcharge waived off revived again. The appellant requested to waive off the surcharge. Since the late payment surcharge is rightly changeable due to not making electricity bill in time, the request of the appellant to waive off the surcharge cannot be accepted. Therefore, the order dated 16.08.2023 passed by CGRF, UHBVN, Kurukshetra is upheld and the appeal is disposed off accordingly.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 15<sup>th</sup> November, 2023.

Sd/-

**(Virendra Singh)**

**Electricity Ombudsman, Haryana**

**Dated: 15<sup>th</sup> November, 2023**

CC-

**Memo. No. HERC/EO/Appeal No. 93/2023/3480-3486**

**Dated: 16.11.2023**

1. Shri Ram Niwas, House No. 623, Batra Colony, Panipat (Email [yprateek718@gmail.com](mailto:yprateek718@gmail.com)).
2. The Managing Director, Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL) Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email [md@uhbvn.org.in](mailto:md@uhbvn.org.in)).
3. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula – 134109 (Email [lr@hvpn.org.in](mailto:lr@hvpn.org.in)).
4. The Chief Engineer Operation, Sector-14, Panchkula (Email [ceoppanchkula@uhbvn.org.in](mailto:ceoppanchkula@uhbvn.org.in)).
5. The Superintending Engineer/OP, Panipat, 132 KV Sub Station, Gohana, Road Panipat (Email [seoppanipat@uhbvn.org.in](mailto:seoppanipat@uhbvn.org.in)).
6. The Executive Engineer Operation, City Panipat, 132 KV Sub Station, Gohana, Road Panipat (Email [xenopcitapanipat@uhbvn.org.in](mailto:xenopcitapanipat@uhbvn.org.in)).
7. The SDO (Operations), Model Town Sub Division, UHBVN, Panipat, 132 KV Sub Station, Gohana, Road Panipat (Email [sdoopmtpanipat@uhbvn.org.in](mailto:sdoopmtpanipat@uhbvn.org.in)).