



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

Shakti Bhawan, IInd Floor, Room No.317, Sector-6, Panchkula

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Complaint No.	UH/CGRF - 351 / 2010
Date of Institution	15.03.2010
Date of Hearing	29.12.2010
Date of Order	11.02.2011

Before the Consumer Grievances Redressal Forum, UHBVNL.

Present:-

1. Sh. R.K. Jain, Member-I.
2. Sh. D.C. Aggarwal, Member-II.
3. Sh. Raj Roop Jakhar, Member-III.

In the matter of complaint of Sh. Jagjeet Singh r/o Village Milksukhi regarding energy charges on tubewell depth basis.

.....Complainant/Petitioner

Vs.

- (1) XEN, Sub-Urban Division, UHBVN, Jagadhari.
- (2) SDO, Op Sub-Division, Bilaspur.

.....Respondents

Appearance:-

For Complainant:

None.

For the Respondent:

1. Sh. Rajinder Kumar, XEN, Sub-Urban Division, UHBVN, Jagadhari.
2. Sh. Suresh Kumar SDO, Op Sub Division, UHBVN, Bilaspur.
3. Sh. S.S. Dahiya, SDO, Op Sub Division, UHBVN, Mustafabad.
4. Sh. R.L. Kamboj, SDO, Op Sub Division, UHBVN, Jagadhari.

ORDER

The complainant Sh. Jagjeet Sing s/o Sh. Bhagat Singh r/o Village Milksukhi has got an Agriculture TW electric connection bearing A/c No. T-487 under Op. Sub/Division, Bilaspur has billing problem and the Forum have the jurisdiction to try this suit.

It has been pleaded by the complainant that –

- 1 Village Milksukhi falls under Patwar Circle Mussimble.
- 2 The depth of his TW is 210 ft but as majority of TWs of the Patwar Circle fall under depth of 101 to 150 ft he should have been charged @ Rs. 78/- per BHP but SDO, UHBVN, Bilaspur is charging Rs. 104/- per BHP.
- 3 Other consumers under village Milksukhi, are being charged by Nigam @ Rs. 78/- per BHP. He has supplied a copies of bills of two consumers i.e. Sardara A/c No- D-3/648 and Panna Lal A/c No- MAP- 96.
- 4 Previously the SDO, Jagadhari was charging Rs. 78/- per BHP but after the area was transferred to Sub-Division, Bilaspur, Rs. 104/- are being charged from him.
- 5 The consumer has attached a copy of the decision of the DCDRF, Yamunanagar in case of Sh. Bahgat Singh vs. UHBVNL.
- 6 The learned District Forum had allowed the complaint but the UHBVN filed an appeal before the State Commission, Haryana which has sent the same to this Forum.

The application of the petitioner was received in this office of the Forum on 10.03.10. Forum considered the facts and found the petition feasible of acceptance and the same was admitted. Accordingly, notice of motion dated 7.5.10 was issued to both the parties asking complainant to submit affidavit and asking respondent to submit version with affidavit. Further notice of motion dated 14.6.10, 5.7.10 and 6.8.10 were issued. Lastly, the Respondent i.e. SDO 'OP' Division, UHBVN, Bilaspur was directed to appear before the Forum for arguments alongwith necessary evidences / documentary proof.

The respondent submitted the version on 4.05.10 which was received on 6.05.10 stating that-

- 1 The connection is in village Milksukhi under Op Sub-Division, UHBVN, Bilaspur.
- 2 Milksukhi comes under Patwar Circle Mussimbal.
- 3 The consumer had filed an application No- 544 dated 22.10.02 before the DCDRF, Yamunanagar which was decided in favour of the Nigam under its order dated 21.09.04. He filed appeal before the SCDRC, Haryana vide appeal dated 3101 of 2004. The SCDRF which transferred the case to HERC and subsequently to this Forum.
- 4 No excess amount has been charged so no amount is refundable since the consumer has been charged for the rate applicable to majority of TWs having same depth under Patwar Circle, Musimble.

To examine the case in depth and to ensure uniformity of levy of charges in the entire area, Chief Auditor, UHBVN was asked to make a detailed checking of the record of the three sub-divisions viz Jagadhari, Bilaspur and Mustafabad and submit report to the SE/Op Circle, UHBVN, Yamunanagar who would submit the report along with his comments to the Forum.

The report of the Chief Auditor and comments of SE/Op Circle, UHBVN, Yamunanagar confirm that village Milksukhi falls under Patwar Circle, Mussimbal and majority of the TWs under this Patwar Circle is upto 100 ft. so the tariff charged @ Rs. 104/- per BHP as per SC No- 14/98 and 70/2001 are correct.

Forum considered the facts on record and the arguments of both the parties, report of the Chief Auditor and comments of SE/Op Circle, UHBVN, Yamunanagar and observed that -

- 1 The complainant consumer falls under Patwar Circle Mussimbal under the jurisdiction of Op Sub-Division, Bilaspur and has been billed on the basis of rates applicable to maximum number of TWs having same depth.
- 2 As regards the cases of Sardara A/c No- D-3/648 and Panna Lal A/c No- MAP- 96, the respondents shall ensure that they have also been charged correctly.

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After due deliberations and after considering the facts of the case and material on record the Forum decides that the charges levied on the complainant consumer are correct and no relief can be extended to him.

The petition is hereby dismissed without any cost on either side.

File be consigned to the office record.

The order is issued and signed by the Consumer Grievances Redressal Forum on 11.02.2011.

(Raj Roop Jakhar)
Member-III

(D.C.Aggarwal)
Member-II

(R.K. Jain)
Member-I