



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

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

E-mail: uhbvn_forum2006@yahoo.com

Fax & Phone No. 0172-2583896

Complaint No. CGRF-628/12

To

The Managing Director,
UHBVN, Panchkula.


Memo No. Ch-24/UH/CGRF-628

Dated: 15.1.2013

Subject: - Order in respect of complaint of Amar Food Products regarding non-effecting PDCO in time.

Enclosed please find herewith the order issued by Consumer Grievances Redressal Forum in respect of above complaint for its compliance.

DA/As above


Secretary,
CGRF, UHBVN,
Panchkula

CC.

1. Secretary/HERC, Sec-4, Panchkula.
2. CE/OP, UHBVN, Rohtak.
3. SE/ 'OP' Circle UHBVN, Sonipat.
4. SE/Commercial UHBVN, Panchkula.
5. XEN/IT, UHBVN, Panchkula. (for posting on UHBVN site)
6. XEN/OP Division, UHBVN, Sonipat with a copy of order.
7. SDO/OP, S/Division, UHBVN, Kundli.
8. Amar Food Products, 32 KM Stone, NH-1, G.T Road, Kundli, Sonipat.

For information & further necessary action with respect to order of Forum (copy enclosed).



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Complaint No. UH/CGRF – 628 of 2012
Date of Institution 14.09.2012
Date of Hearing 09.01.2013
Date of Order 09.01.2013

Before the Consumer Grievances Redressal Forum, UHBVNL.

Present:-

1. Sh. S.K. Aggarwal, Member-I.
2. Sh. D.C. Aggarwal, Member-II.

In the matter of complaint of M/s Amar Food Products, 32 KM Stone, NH-1,
GT Road, Kundli regarding non-effecting PDCO in time.

.....Complainant

Vs

- (1) XEN, Op Division, UHBVN, Sonapat.
- (2) SDO, Op Sub-Division, UHBVN, Kundli.

.....Respondents

Appearance:-

For Complainant:

Sh. Shish Pal.

For the Respondent:

Sh. S.P. Singh SDO, Op Sub-Division, UHBVN, Kundli.



ORDER

The complainant M/s Amar Food Products, 32 KM Stone, NH-1, GT Road, Kundli has got an electric connection bearing A/c No. MS 09-1008-L under Op Sub-Division, UHBVN, Kundli and the Forum has the jurisdiction to hear this complaint.

It has been pleaded by the complainant that they applied for disconnection of supply of electricity vide their letter dt. 7.3.12. In the first instance the connection was not disconnected and they were served the electricity bills. Also no security has been refunded to them. They have pleaded that the unscrupulous bills raised against them after the date they applied for disconnection may be withdrawn and security be refunded.

The application of the petitioner was received in this office of the Forum on 12.9.12. The Forum considered the facts and found the petition feasible of acceptance and the same was admitted. Accordingly, notice of motion dated 14.9.12 was issued to both the parties asking complainant to submit affidavit and asking respondent to submit version.

Since the respondents did not submit reply in time, the matter was taken up for hearing and Summons were issued for hearings on 26.10.12, 23.11.12, and 9.1.13. The respondent submitted the version dt 18.12.12 stating that the PDCO could not be issued on the request of the complainant because the energy bill for the period 27.1.12 to 28.2.12 was pending and the consumer was verbally asked to and also in writing vide memo No- 1612 dt 19.3.12 to clear the pending bill. The complainant consumed 380 units during 4/12, 20 units during 5/12 and 980 units during 6/12 but did not make payment of these bills. PDCO No- 97/454 was issued on non-payment of Rs. 29806/- and it was effected on 19.6.12. The defaulting amount has been adjusted against the security. The consumer was asked to intimate the mode of payment of balance security vide memo No- 4237 dt 23.11.12 whether by cheque or against any other pending bill. The respondent SDO, vide his memo No- 4463 dt 18.12.12 submitted copies of MT-1, PDCO memos and affidavit.

After considering all the facts and evidences produced, the Forum observed that-

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- 1 The Complainant applied for disconnection on 7.3.12. Till that the bill due for 3/2012 with due date 22.3.12 was prepared which was duly paid by the complainant.
- 2 No bill was prepared for the period of last reading till the date of application for disconnection. So the complainant cannot be held responsible for any non-payment till that date when the bill itself was not issued.
- 3 The next bill was for the month of 4/2012 was for 380 units and the due date for payment of this bill was 24-25/4/2012. Subsequent bills were also issued which though were not paid by the complainant, but it cannot be interpreted that the complainant was defaulter against any bill when no bill was raised on the date of request for PDCO. It was the duty of the respondents to disconnect the supply, may be temporarily immediately on the date of request for the disconnection and raise the bill of actual consumption till that date and permanently subsequently which was not done.
- 4 Due to non-disconnection, the consumer continued to use electricity. The complainant has not produced any document or evidence supporting his follow up with the respondents for disconnection between the period 7.3.12 and 2.6.12 and continued to enjoy supply of electricity. The consumer should have deposited the payment of electricity consumed even if the disconnection was not done. The consumer should have also not used the electricity when already requested for disconnection. So to that extent he also did not act fair and is not entitled for waiver of bill amount for the electricity actually consumed.

The Forum considered the facts and decides that the consumer should be treated as disconnected from the date of the application i.e. 7.3.2012 without levy of any charges / penalties except for the actual consumption thereafter. The consumer therefore, shall be liable to make the payment to the extent of electricity units actually consumed after 7.3.12 as per the reading in the meter without any course to

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MMC or Average. However the surcharge shall be leviable due to non-payment for actual consumption.

The complaint is hereby disposed of without any cost on either side. File be consigned to the office record.

The order is signed by the Consumer Grievances Redressal Forum on 09.01.2013.

The compliance of the order be informed to the Forum with fifteen days from the date of receipt of the Order.


(D.C. Aggarwal)
Member-II


(S.K. Aggarwal)
Member-I

