



CONSUMER GRIEVANCES REDRESSAL FORUM

Uttar Haryana Bijli Vitran Nigam

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

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Complaint No. UH/CGRF – 471 of 2011
Date of Institution 7.4.2011
Date of Hearing 16.6.2011
Date of Order 24.6.2011

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. Bunda Shah S/o Sh. Gobind Ram R/o HNo-330 -A, Mahesh Nagar, Ambala Cantt regarding levy of wrong penalty of excess load.

.....Complainant/Petitioner

Vs

- (1) XEN, Op Division, UHBVN, Ambala Cantt.
- 2) SDO, Op Sub-Division, UHBVN, Babyal.

.....Respondents

Appearance:-

For Complainant:

Sh. Madan Lal.

For the Respondent:

Sh. S.K. Goel, SDO Op Sub-Division, UHBVN, Babyal.



ORDER

The complainant Sh. Bunda Shah S/o Sh. Gobind Ram R/o HNo- 330 -A, Mahesh Nagar, Ambala has got an electric connection bearing A/c No. MD-83/1070 under Op Sub-Division, UHBVN, Babyal and the Forum has the jurisdiction to try this suit.

It has been pleaded by the complainant that he has a connected load of 8.873 KW already disclosed under VDS scheme of HSEB for which due payment as demanded by the department was deposited and accepted in the SDO office vide receipt No- 094158 dated 21.12.1987. On 6.10.2010 a checking party reported to the department that his connected load was 5.956 KW which was clearly less than the load of 8.873 KW for which due payment stands already deposited. However, the connected load of 0.5 KW was wrongly indicated in his bills. Having not updated the connected load on or after 21.12.1987 as 8.873 KW, the dept has imposed a penalty with impunity without pursuing their record. The penalty imposed on him is unjustified.

The application of the petitioner was received in this office of the Forum on 7.4.11. Forum considered the facts and found the petition feasible of acceptance and the same was admitted. Accordingly, notice of motion dated 8.4.11 was issued to both the parties asking complainant to submit affidavit and asking respondent to submit version.

The respondent submitted the version which was received on 29.4.11 stating that the consumer had a sanctioned load of 0.5.KW as per the ledger which has been extended by him vide BA-16 No- 10/94158 dated 21.12.1987 of Rs. 550/- as ACD and Rs. 4/- as processing charges entered in the security register at page No- 80 item No- 19282. The relevant service register and consumer file was not available in his office due to Floods in the area in the past so many times. The load checked by the inspection party on 6.10.10 vide LL-I No- 34/7 headed by Des Raj, JE found the connected load of 5.956 KW at site and a penalty of Rs. 25187/- for unauthorised load was imposed as per SC No- 60/2007. After that the consumer represented to his office regarding extension of load and submitted his security receipt dated



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21.12.1987. As per record available in the office, considering the above facts, the respondent has indicated that an amount of Rs. 27523/- is refundable to the consumer.

The Summon were issued for hearing on 18.5.11. The complainant submitted that he was not at fault and he be exempted from depositing the penalty being not leviable. After considering the facts and the version of the respondent, interim order dated 18.5.11 were passed directing the SDO to check the record and submit the actual position on the next date of hearing and meanwhile not to insist the complainant to deposit the amount of penalty and should accept his current bills.

Further Summon were issued for hearing on 2.6.11 when the respondent did not turn up. Therefore the next date was fixed for 16.6.11 when both the parties were present. During arguments the complainant produced the original copy of the BA-16 on a/c of deposit of security for extension of load on 21.1.1987 which was shown to the respondent who admitted the same as genuine. The respondent further deposed before the Forum that the amount of penalty imposed was not leviable on the consumer.


Forum considered the facts and observed that -

The respondent had failed to update their record as back as in 1987 for which consumer is not at fault. So the penalty levied is unjustified and is not payable by the consumer. The respondent is also now directed to update his record treating the sanctioned load of the consumer as 8.873 KW.

The petition is hereby disposed of 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 24.06.2011.


(Raj Roop Jakhar)
Member-III


(D.C. Aggarwal)
Member-II


(R.K. Jain)
Member-I

