



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.	352 of 2010
Date of Institution	30.04.2010
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. Bhagat Singh r/o Village Balchhappar 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. Bhagat Singh r/o Village Balchhappar has got an Agriculture TW electric connection bearing A/c No. 1 / 66 under Op. Sub/Division, Bilaspur and the Forum have the jurisdiction to try this suit.

It has been pleaded by the complainant that –

- 1 Village Balchhappar comes under Patwar Circle Kotarkhana and for consumers under village Kotarkhana the charges are being recovered by Nigam @ Rs. 78/- per BHP. He has supplied a copy of the pass book of Sh. Atma Singh of village Kotarkhana in support of this.
- 2 Village Kotarkhana falls under SDO, UHBVN, Mustafabad where consumers are paying the rate of the depth 101 to 150 ft.
- 3 Village Balchhappar is under SDO, UHBVN, Bilaspur who is charging excess rate of Rs. 104/- per BHP which is not as per the record of Patwar Circle, Kotarkhana.
- 4 He should be charged as per the rates applicable to Patwar Circle Kotarkhana since village Balchhappar and village Kotarkhana fall under same Patwar Circle i.e. Kotarkhana. Therefore, he is entitled for the refund of the excess amount charged from him since 1.5.1998 alongwith interest @ 2% p.a. upto date.
- 5 The consumer has also supplied a copy of confirmation from Tehsildar, Jagadhari that Halka Balchhappar, Tehsil Jagadhari has two villages Balchhappar and Kotarkhana.
- 6 The learned District Forum, Yamunanagar at Jagadhari 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 30.04.10. 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. Further notice of motion dated 14.6.10, 5.7.10, 6.8.10, 16.8.10, 7.9.10, 7.10.10, 11.11.10 and 8.12.10 were issued.

The respondent submitted the version which was received on 5.8.10 stating that-

- 1 The connection is in village Balchhappar under Op Sub-Division, UHBVN, Bilaspur. Balchhappar is itself a Patwar Circle and both village Balchhappar and Kotarkhana fall under Patwar Circle Balchhappar.
- 2 The consumer has been charged as per Sales Circular of the Nigam at the rate applicable to maximum number of connections under that Patwar Circle, Balchhappar. The respondent has supplied the list of Patwar Circles.
- 3 Atma Singh, is residing in Kotarkhana and is being charged on the basis of depth of the TWs falling under Patwar Circle, Kotarkhana.
- 4 The charges levied on the complainant consumer are correct and no relief can be given to him

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 Balchhappar fell under Patwar Circle, Balchhappar 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 certificate of Tehsildar Jagadhari confirms only wrt to Halka and not Patwar Circle and this is not relevant in this case.
- 2 The complainant consumer falls under Patwar Circle Balchhappar 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.

3 The case of Atma Singh is not relevant in his case because connection of Atma Singh falls under independent Patwar Circle i.e. Kotarkhana which is a separate Patwar Circle.

4 However, the respondents shall ensure that other consumers have also been charged correctly.

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