

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Manoj Kumar
S/o Late Shri Suraj bhan
Babugarh (Barothiwalla road)
Near Chungi no. 1, Vikasnagar
Vikasnagar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Vikasnagar, Uttarakhand

Representation No. 40/2022

Order

Dated: 09.02.2023

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 31.10.2022 in his complaint no. 84/2022 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Vikasnagar, Dehradun (hereinafter referred to as respondent) Shri Manoj Kumar S/o Late Shri Suraj bhan R/o Babugarh (Barothiwalla road) near chungi no. 1, Vikasnagar, has preferred the instant petition for correction of his bills from the period 20.10.2018 to 23.08.2022.

2. The petitioner, Shri Manoj Kumar has submitted the undated petition which was received in this office on 15.12.2022. He has stated that the period from 25.02.2018 to 11.08.2019 taken as 5 months 15 days by the respondent is in fact is 17 months 15 days. His bill dated 04.06.2019 has been issued on meter reading 17709, while this was the reading in the meter in the month of 2019. Reading on 25.02.2018 in the bill was recorded as 15842 and that in the bill dated 04.06.2019 was recorded as 17709. The total consumption during this period (15 months 9 days) was 1867 units, but as the reading 17709 was in the month of August 2019, this period is 17 months 15 days. In view of his averments he has requested that bills for the period 25.06.2019 to 24.07.2020 be got revised treating consumption 1867 for 17 months 15 days. He has further stated that even after replacement of meter in the month of July 2020 he

received excessive bills, so his bills from 25.07.2020 be revised on the basis of a check meter. In the past he had been making payments of the bills regularly but thereafter the department not issued bills timely, payments were not made therefore he has requested that LPS be waived off under the LPS waiver scheme. His connection was disconnected on 22.11.2022 without any prior intimation and without giving a copy of the Forum judgment. He has requested that a copy of the calculation sheet of revised bill be also given to him along with copy of revised bill. In addition to above he has also requested that his cable service has been provided from a pole situated far away from his premises and that service cable has a number of joints. He has requested that his connection may be given through a cable from pole already existing near his premises. He has also submitted that in the past NA/IDF bills were being issued without taking the readings of the meter at site. He has requested that bills be issued on actual meter readings. The department pressurized him for payments after disconnecting his connection without giving revised bill as per Forum's orders. He has therefore requested that a revised bill after due corrections may be made available to him, his service cable be replaced and in future actual metered consumption bills be given to him.

3. After perusal of records and hearing both parties the Forum observed that bill for the period 04.06.2019 to 24.07.2020 have been revised on the basis of average consumption recorded by the meter from 25.02.2018 to 11.08.2019 and the bills from 24.07.2020 (date of replacement of meter) to 23.08.2022 has also been revised on the basis of average consumption recorded by the new meter. Bills from 04.06.2019 to 23.08.2022 have not been paid by the complainant as per the calculation sheet submitted by the department before the Forum. Total outstanding dues after the corrections up to 23.08.2022 have been worked out as Rs. 51,123.00. The Forum was further of the view that LPS amounting to Rs. 10,019.00 is included in the aforesaid total outstanding dues. The Forum was of the view that levy of this LPS is neither logical not justified because the opposite party did not issue correct bills as per provisions in relevant UERC regulations due to which payments could not be made by the complainant. Having observed as such the Forum ordered that the LPS amounting to Rs. 10,019.00 be waived off and a revised bill after waiver of surcharge be issued to the complainant within 15 days of the order.




4. The respondent Executive Engineer has submitted a written statement vide his letter no. 65 dated 10.01.2023. He has submitted that a 2 KW domestic connection no. VN23143039338 is existing in the name of Shri Manoj Kumar since 23.06.2006. His old defective meter was replaced on 24.07.2020 when a new meter was installed. His bills from 25.02.2019 to 24.07.2020 were revised on the basis of average consumption of 7.5 units per day recorded by the old meter and the bills from 24.07.2020 to 23.08.2022 were revised on the average consumption of 248.5 units per month as recorded in the new meter. In the revised bills no LPS has been imposed. A calculation sheet has also been adduced with written statement showing the calculations for revision of the bills as mentioned in written statement according to which the total outstanding dues up to 23.08.2022 have been worked out as Rs. 56,723.71 and after accounting for payments of Rs. 7,402.00 made by the petitioner during this period the net outstanding dues has been claimed as Rs. 49,322.00 till 23.08.2022. There appears a discrepancy in the total outstanding dues while the total outstanding dues in this calculation sheet has been shown as Rs. 49,322.00, the Forum has mentioned the dues up to 23.08.2022 as 51,123.00, however a copy of relevant portion of consumer ledger shows that Rs. 41,104.00 have been paid by the consumer on 24.11.2022 and LPS amounting to Rs. 10,019.00 has been waived off on 02.12.2022 in compliance to Forum's order dated 31.10.2022 and thus there is no outstanding dues against the consumer as on 02.12.2022.
5. The petitioner has submitted a rejoinder dated 19.01.2023, which is merely a reiteration of his averments as made in the petition and nothing new has been adduced in this rejoinder.
6. Hearing in the case was held on prescheduled date 30.01.2023. Both parties appeared and argued their respective case. Records on the file have been perused. It is borne out that the bills for the period 20.10.2018 to 23.08.2022 have duly been revised by the respondents which have also been appreciated by the Forum except objecting to levy of LPS amounting to Rs. 10,019.00 which in view of Forum was not justified as correct bills have not been issued by the respondents during the said period and have accordingly directed the respondents to waive off the LPS and issue the revised bill accordingly. Though the petitioner during hearing categorically stated that he has not received the revised bill as per Forum's order but as is evident from entries in the ledger he deposited the total outstanding dues amounting to Rs. 41,104.00 on

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24.11.2022 excluding LPS amounting to Rs. 10,019.00 which has duly been waived off by the respondents in compliance of Forum's order. He had received the revised bill against which he has made the aforesaid payment and it is thus clear that the Forum order has duly been complied with by the respondents and his grievance regarding wrong bill thus stands redressed. The Forum order needs not to be interfered with and the petition is disposed off, as grievance has already been redressed.

7. As regards his request for replacement of service cable, the respondents are advised to get the cable replaced after site inspection, if it is found necessary.

Dated: 09.02.2023


(Subhash Kumar)
Ombudsman