

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Salekhchand,
S/o Shri Kurdi,
Village Peerpura, Pargana-Manglaur
Tehsil-Roorkee, Haridwar,
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division, (Rural)
Uttarakhand Power Corporation Ltd.
Roorkee, Haridwar,
Uttarakhand

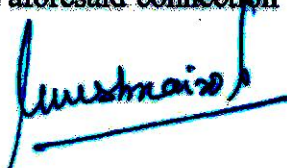
Representation No. 20/2024

Award

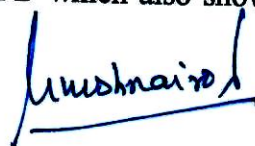
Dated: 27.09.2024

Present appeal/representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Haridwar Zone, (hereinafter referred to as Forum) dated 23.04.2024 passed in complaint no. 47/2024 by which Ld. Forum has dismissed the complaint of appellant Shri Salekhchand, S/o Shri Kurdi, Village Peerpura, Pargana- Manglaur, Tehsil -Roorkee, Haridwar (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Rural), Uttarakhand Power Corporation Ltd., Roorkee, Distt. Haridwar, Uttarakhand (hereinafter referred to as respondent).

2. The petitioner in the instant appeal dated 30.04.2024 as averred that he had taken a 01 KW domestic connection no. RD2AL322045587 where meter no. 696371 was installed. He is a BPL family having Rashan Card No. 11128. All bills as received have duly been paid regularly till 20.09.2011 where after bills as per metered unit were not issued by the department so bills were not paid. He repeatedly visited department's office for issue of correct bills but such bills are not issued with the result that dues amounting to such a figure which he was unable to pay and his connection was disconnected in year 2019. He has requested that bills for a consumption of 9335 units as recorded in the meter no. 696371 be ordered to be issued without levy of LPS and his supply to his aforesaid connection be ordered to be restored.



3. After perusal of records and hearing arguments from both parties the Forum observed that 01KW connection was live from 18.04.1991 to 20.02.2018. The opposite party issued MU bills till 14.02.2018. On nonpayment of outstanding dues Rs. 48171.00 as on 14.02.2018 the supply of the aforesaid connection was temporarily disconnected on 20.02.2018. No payment towards bills was made by the complainant after 28.09.2011. The connection was permanently disconnected by the department on 15.02.2019. The PD was finalized vide OM No. 5764 dated 21.12.2023 and a final bill for Rs. 51,760.00 was sent to the consumer which in view of the Forum appeared as correct. In view of its observations, Forum was of the view that no relief possible in view of facts of the case and the complaint was liable to be dismissed being without any force. In view of these observations the Forum dismissed the complaint vide their order dated 23.04.2024.
4. The respondent Executive Engineer has submitted his written statement vide his letter no. 2302 dated 11.06.2024 along with an affidavit on oath. The respondent has submitted as follows:-
 1. A 01 KW connection is released in favor of Shri Salekhchand, S/o Shri Kurdi, Village Peerpura Mangluar with service connection no. RD2AL322045587.
 2. The last payment amounting to Rs. 624.00 was made by the petitioner on 28.09.2011. Hereafter no payment was made till present.
 3. The connection was temporarily disconnected on 20.02.2018 on account of outstanding dues and on nonpayment of dues his connection was permanently disconnected on 15.02.2019. PD was finalized vide OM no. 5764 dated 21.12.2023 as per aforesaid OM. The final outstanding dues worked out Rs. 51,760.00 which has to be paid by the petitioner and has not been paid till now.
 4. As the connection under reference has been permanently disconnected and account finalized so it will not be possible to re-energize the said connection. However, a new connection can be released at the premises after clearance of all the outstanding dues. He has substantiated his submissions with documentary evidences such as consumer billing history according to which outstanding dues are Rs. 51,737.00 as ending December 2018. Consumer ledger which shows opening balance zero as on 01.04.2011 and a closing balance as on 04.06.2024 Rs. 51,760.00. A copy of office memorandum no. 5764 dated 21.12.2023 for finalization of PD which also shows outstanding



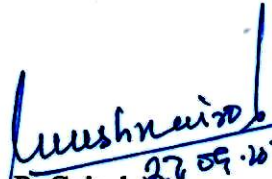
dues Rs. 51,760.00. A calculation sheet for working out the outstanding dues has aforesaid.

- 4 The petitioner has submitted a rejoinder dated 27.06.2024. No new facts of the case has been adduced. It is simply a reiteration what he has averred in his representation.
5. Hearing was fixed for 18.09.2024 both parties appeared. Petitioner argues his case himself. The respondent was represented by Gulshan Gulani, SDO. After hearing counter arguments the hearing was concluded and 27.09.2024 was fixed for order. Documents available on file have been perused arguments from both parties were heard. The date of temporary disconnection permanent disconnection the outstanding dues as per PD OM are admitted by both the parties and there is no dispute on temporary disconnection, permanent disconnection, and payable dues. In view of the facts of the case Forum order need not be interfered with and the same is liable to be upheld. The representation is liable to be dismissed.

Order

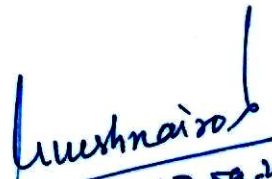
The Forum order is upheld the representation is dismissed. The respondents are at liberty to realize their outstanding dues Rs. 51,750.00 by availing means available to them for recovery of their just outstanding dues including recovery as arrear of land revenue by issuing RC to the DM under Government Electrical Undertakings Dues Recovery Act, 1958, which is applicable in the state of Uttarakhand also.

Dated: 27.09.2024


(D. P. Gairola) 27.09.2024
Ombudsman

Order signed dated and pronounced today.

Dated: 27.09.2024


(D. P. Gairola) 27.09.2024
Ombudsman