

## **THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Keshri Kant Nautiyal  
S/o Shri Ambika Prasad Naitiyal  
Vill. & P.O Badahaat,  
Bhatwari, Uttarkashi, Uttarakhand

Vs

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

Representation No. 01/2022

### **Order**

**Dated:** 16.03.2022

Being aggrieved with Consumer Grievance Redressal Forum, Uttarkashi/Tehri Zone (hereinafter referred to as Forum) order dated 16.12.2021 in his complaint no. 76/2021, before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Uttarkashi (hereinafter referred to as respondent) Shri Keshri Kant Nautiyal S/o Shri Ambika Prasad Nautiyal Vill & P.O. Badahaat, Bhatwari, Uttarkashi has preferred this petition for correction of his bills.

2. The petitioner Shri Keshri Kant Nautiyal has submitted a undated appeal, further substantiated vide his submission dated 04.01.2022 along with an affidavit. He has averred that Forum has passed orders without considering the facts that NR bills have not been adjusted and the payments made by him have also not been accounted for. He has also submitted that information given by the Executive Engineer against his request dated 28.10.2021 under RTI was wrong. He has therefore requested that his bills be corrected after adjusting NR bills and the amount deposited by him.
3. The Forum after hearing both parties observed that the connection was disconnected on 06.02.2016 at final reading 15922 due to nonpayment of outstanding dues and accordingly PD report was submitted and finalized. Forum concluded that the dues till PD are payable and accordingly dismissed the complaint.

4. The respondent Executive Engineer has submitted a written statement vide his letter no. 80 dated 22.01.2022. He has denied that the payments made by the petitioner against his service connection no. UK11210018404 has not been adjusted. As evident from consumer ledger and consumer history duly adduced with written statement, payments Rs. 26,000.00 dated 07.01.2015 Rs. 15,000.00 dated 09.04.2015 and Rs. 65,325.00 dated 06.02.2015 have duly been adjusted as is evident from enclosed consumer history and ledger. He admitted that NR bills have been issued which have duly been adjusted automatically under RAPDRP system. The Forum has passed order on the basis of facts and evidences submitted before it.
5. A rejoinder dated 31.01.2022 has been submitted by the petitioner wherein no new facts about the case have been submitted but it is merely a repetition or reiteration of what he has already averred in his petition.
6. Hearing in the case was held on pre decided date 02.03.2022. Both parties appeared and argued their respective case. Arguments were concluded and order was reserved for 16.03.2022.
7. After perusal of records and hearing arguments from both parties it is borne out that a domestic connection for 1 KW load was released to the petitioner on 15.04.2010 as per consumer billing history. The three payments as referred in written statement have duly been adjusted as is evident from the ledger. The connection was temporarily disconnected on 06.02.2016. PD was finalized vide OM no. 12 dated 29.11.2021 out of total outstanding dues Rs. 1,88,654.00 up to 06/2017 as per billing history and as also from ledger, the total realizable dues after adjusting fictitious arrears Rs. 26,459.00 generated after the date of temporary disconnection, have been worked out as Rs. 1,12,195.00 which are payable by the petitioner and the Forum has also upheld these dues as payable. NR bills have been issued at a number of times first from 07/2012 to 05/2014 and again from 03/2016 to 05/2017 in a single stretch. 3 number IDF bills have also been issued from 09/2014 to 03/2015 and the meter was changed in the month of 03/2015 itself being IDF, while NR bills issued from 03/2016 to 05/2017 stands waived off due to disconnection on 06.02.2016 and with waiver of dues Rs. 26,459.00 generated after date of disconnection as per PD OM dated 29.11.2021. The NR bills issued from 07/2012 to 05/2014 (12 nos. bills) in a single stretch are in contravention to relevant UERC Regulations as well as tariff provisions.

Only 2 NR bills out of these 12 NR bills are payable by the petitioner being consistent with regulation and the remaining 10 nos. NR bills out of these 12 NR bills are not payable by the petitioner being in contravention to regulations. The respondents are directed to revise the payable amount after deleting the amount of 10 nos. NR bills issued in contravention to the regulations and issue a revised PD OM accordingly. However as the UPCL cannot be put to bear a financial/revenue loss due to the mistake or irregularity committed by the staff in issuing 10 nos. NR bills in contravention to regulation, it is directed that amount of these 10 nos. NR bills be recovered from the erring staff. Forum order stands modified as per this order. Petition is allowed.

Dated: 16.03.2022

(Subhash Kumar)  
Ombudsman