

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Dr. N.S.K. Harsh  
C-152, Krishna Vihar Colony,  
Smithnagar, Premnagar,  
Dehradun, Uttarakhand

Vs

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

Representation No. 30/2022

**Order**

Dated: 24.11.2022

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 02.09.2022 in his complaint no. 70/2022 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Mohanpur, Dehradun (hereinafter referred to as respondent) Dr. N.S.K. Harsh, C-152, Krishna Vihar, Colony, Smithnagar, Premnagar, Dehradun has preferred this appeal for directing respondent to provide uninterrupted power supply (except in case of bad weather and breakdowns) so that its consumer's rights are protected.

2. The petitioner (service connection no. MP-1424201534 exists in the name of his wife Dr. Mrs. Sushma Harsh) has preferred this appeal against Forum orders conveyed vide letter no. 178 dated 05.09.2022 in his complaint no. 70/2022 before the said Forum. The complaint was filed by him before the Forum on 29.07.2022 regarding regular unannounced power cuts in his area for which he had been raising the complaints since January 05, 2021. His case was heard by the Forum and called SDO, Mohanpur for submission before the Forum. It was informed to the forum by the SDO that for past few months rostering of small town feeder is done on the guidelines of State Load Dispatch Center (SLDC) due to increase in the demand of electricity and in case of breakdowns to

address the complaints of the consumer. It was also informed that his area comes under small town category. On the basis of SDO's explanation the Forum came to the decision that it was a the statement on the part of the complainant that the regular breakdown due to excess load in Mohanpur substation is false and baseless and his complaint was dismissed by the Forum only on such basis. He has submitted the details of his grievances as follows:

- i) Mohanpur substation was putting the blame on SLDC and trying to save its inefficiency in the guidelines which were not disclosed to the consumers.
- ii) In the referred letter of SDO, it was mentioned that 11 KV feeder comes under small town category and therefore its rostering was done as per SLDC guidelines. The UPCL has never issued the notification that his area (petitioner's area) was under small town category so there could be more/indefinite rosterings as per SLDC guidelines.
- iii) The Forum did not ask the defendant to produce the guidelines of SLDC and verify the claims that actually, the rostering in his area was done as per said guidelines.
- iv) He wanted to know whether being in small town category the electricity charges imposed are lesser than those being charged in the big/large town category of UPCL. If not, then why the rostering is more frequent indefinite/untimely in his area which as per the said letter was in small town category.
- v) The Forum erred in reaching the decision that the complainant's claim is false and baseless that the breakdown in the electricity lines is due to overload in Mohanpur substation. He had clearly mentioned in his complaint that the then SDO and Executive Engineer had informed him during telephonic conversations, when he complained about frequent power cuts in his area, about the said overload which he mentioned in his complaint otherwise how he could have made such a statement.



- vi) The Forum did not consider the main issues of unannounced irregular and frequent power cuts in his area (still continued) and related problems and inconvenience faced by him and his wife as put up in his complaint. The Forum also did not consider it appropriate to issue any instructions to the defaulter, Mohanpur substation to rectify the faults and make regular supply of electricity in the area. As service provider UPCL should provide him the uninterrupted power supply (except in case of bad weather and breakdowns). As in other areas of Dehradun city for which he has been paying the charges.

In the premises aforesaid the petitioner has prayed that the Hon'ble Ombudsman would look into the matter and give him reprieve and protect his consumer rights to get the service.

3. After perusal of records and hearing parties the Forum was of the view that rostering was being done by the opposite party as per SLDC directions. In addition to that supply is disturbed in the event of breakdowns also. The OP has submitted a photocopy of daily stoppage register of the substation. In view of the documents the Forum held complainant's submission as false and baseless that frequent breakdowns occurs due to overloading in Mohanpur substation. Such being the case the Forum was of the view that the complaint has no force and is liable to be dismissed and they have accordingly dismissed the complaint.
4. The respondent Executive Engineer has submitted a written statement vide letter no. 5363 dated 17.10.2022 wherein point wise reply has been submitted as follows:
- i) The supply to the petitioner is being given from a 250 KVA 11/.4 KV transformer installed outside consumer's colony at 11 KV shyampur feeder emanating from 33/11 KV substation, Mohanpur.
  - ii) Rostering of the concerned 11 KV feeder is being done as per SLDC's direction received at 33/11 KV substation Mohanpur from 220 KV substation Jhajra, PITCUL. It is worthwhile to intimate that SLDC directs the rostering after assessing the availability and demand of supply in the grid. Compliance of which is necessary to maintain grids stability.

- iii) It is also informed that the supply of the electricity to the consumers is affected in the event of breakdowns and for carrying out maintenance works on the lines emanating from 33/11 KV substation Mohanpur, requiring shutdown.
- iv) Shutdown is necessitated to attend to consumer's complaint as also for releasing new connections.
- v) The average supply availability per day on 11 KV feeder from the month of April 2022 to 09/2022 has been given in the written statement, which is reproduced below:

S. No.	Month	Average supply duration per day
1	April 2022	22.46
2	May 2022	23.22
3	June 2022	22.58
4	July 2022	22.58
5	August 2022	23.27
6	September 2022	23.22
Total average		23.06 Hrs.

As per above table it is seen that despite rostering average per day supply availability on the concerned feeder from the month of April 2022 to September 2022 has been 23.06 hours per day.

- vi) Intimation of scheduled shutdowns of the feeder for more than 2 hours duration is however given in advance through news papers.

He has also adduced copy of daily stoppage register of the concerned feeder emanating from 33 KV substation Mohanpur.

5. The petitioner has submitted a rejoinder dated 28.10.2022. Point wise reply to the written statement has been given as follows:

- i) No proof orders/instructions of SLDC for rostering has been adduced and it is mentioned that SLDC instructions are received telephonically.

- ii) Respondent submission that average per day supply availability during April to September 2022 was 23.06 hours per day, the petitioner has held it not to be true.
- iii) He has also challenged the contents of daily stoppage register.
- iv) According to him MRI of his meter was carried out on 16.08.2022 but a copy thereof was not given to him. He has demanded a copy of MRI data to him (**The respondent Executive Engineer during the course of hearing informed that copy of the MRI can be provided to him on payment of necessary charges as prescribed by UERC**)


The petitioner has however stated that he was not satisfied by respondent's clarifications and he has therefore requested that to give him reprieve and protect his consumers right to get the service for which he was being charged.

- 6. Hearing in the case was conducted on prescheduled date 16.11.2022. Both parties appeared and argued their respective case. The arguments were concluded with mutual consent. 24.11.2022 was fixed for orders.
- 7. Records available on file have been perused and arguments from both parties were heard. It has been borne out that the petitioner's grievance is that uninterrupted supply round the clock is not being given for which he is entitled to and supply is disturbed frequently without any pre intimation. His request is that the UPCL as a service provider should ensure to give uninterrupted supply round the clock except in case of bad weather and breakdowns. The respondent's submission is that supply is being given on the feeder and it is interrupted only due to tripping, breakdowns, shutdowns taken to attend the breakdowns, maintenance of lines as also for giving new connections. Emergency rosterings under the telephonic instructions of SLDC received at 33/11 KV substation through 220 KV substation, Jhajra PITCUL has to be done as and when the situation arises to maintain grid stability. Such instructions cannot be given in writing and has to be complied with as per telephonic instructions, failing which grid may be destabilized. Overall effect of all the factors as mentioned above due to which supply is interrupted or forced to resort to emergency rostering, is that the average per day supply availability

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during the period under reference as given by the respondent is about 23.06 hours per day. The correctness of this statement cannot be denied as it is based on daily stoppage register maintained at the substation and it cannot be believed to be a fabricated or false statement. Round the clock uninterrupted power supply on a mixed small town feeder as that of the petitioner in the instant case is an ideal condition which is very difficult to be achieved under the situation of present supply system of UPCL as well as the supply availability on the grid in the state. While the respondents are advised to take maximum care to minimize the duration of supply outage in attending local faults, breakdowns in the area under substation, the consumers are also expected to bear with the UPCL if there are some unavoidable supply interruptions as appears in the instant case. The petition is thus disposed off. Forum order is upheld.

Dated: 24.11.2022

  
Subhash Kumar)  
Ombudsman