

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Suryapal Singh Rawat
Ward No. 1,
Nagar Panchayat/P.O. Tehsil Purola,
Uttarkashi, Uttarakhand

Vs

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

Representation No. 42/2024

Award

Dated: 23.04.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Uttarkashi Zone, (hereinafter referred to as Forum) dated 23.09.2024 in complaint no. 54/2024 by which Ld. Forum has disposed off the complaint of appellant Shri Suryapal Singh Rawat Ward No. 1, Nagar Panchayat/P.O. Tehsil Purola, Uttarkashi (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Badkot, Distt. Uttarkashi, Uttarakhand (hereinafter referred to as respondent).

2. The petitioner, Shri Suryapal Singh Rawat in his instant appeal dated 25.10.2024 revised appeal dated 11.11.2024 has averred that a connection was released in his name in the year 1998-99. All bills right from date of connection till 31.03.2002 had duly been paid. Meter reading up to the bill for the month of April 2002 were correct and Rs. 239.00 were due up to this bill. Whereafter bills of excessive consumption were being received. Bills were in his custody. On having received wrong bills department was requested repeatedly for correction of the bills. No action was however taken by the department. Being dissatisfied with Forum order the instant appeal has been preferred before Ombudsman. A letter dated 10.03.2005 was received from the department regarding disconnection. He visited department office but no

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decision was taken by the department. A letter no. 1662 dated 30.09.2016 was sent to SDO Purola for taking action on point no. 1 and 2 but no document was submitted. A notice vide letter no. 746 dated 20.09.2022 regarding dues Rs. 67,017.00 was sent to him by the respondent, which was duly received by him. As the notice was wrong so a complaint was preferred before Forum on 02.07.2024. Being aggrieved with Forum order in his compliant no. 54/2024 the instant appeal was preferred before Ombudsman on 25.10.2024. He has requested that his appeal be admitted and order be passed for depositing actual and correct amount of bill. Copy of the following documents have been enclosed with the appeal.

- i. Electricity bills from sr. no. 1 to 25.
 - ii. Copy of the letters written by him from sr. no. 1 to 7.
 - iii. Department/Forum letters no. 1 to 6.
 - iv. Copy of stamp paper.
3. The Forum observed that information regarding dues of the final bill was not submitted by opposite party in the hearing on 29.08.2024. During hearing on 09.09.2024 SDO apprised the Forum about issue of section 3 notice for final bill amount Rs. 62,033.00, which was duly revised vide OM dated 06.07.2022 after PD and therefore revised dues amounting to Rs. 34,195.00 are payable by the consumer. After hearing both parties it came to Forum's notice that date of disconnection mentioned in the year 2005 by the complainant in his complaint could not be proved to be correct as no supporting document was submitted. The revised amount of the final bill Rs. 34,195.00 as finalized by the opposite party and informed to the Forum. The Forum considered it as correct and the complainant is liable to pay the same. Having observed as such the complaint was disposed off by the Forum vide order dated 23.09.2024.
4. The respondent, Executive Engineer has submitted his written statement vide letter no. 14 dated 08.01.2025 along with an affidavit and a letter no. 06 dated 3.01.2025 from SDO addressed to the respondent along with its enclosures viz ledger, consumer billing history. In his WS, the respondent Executive Engineer has submitted that as per SDO's report bills against petitioner's connection no. BD2/3206/305173 bills from 11.06.2010 have been issued on MU. No payment against these bills has been made by the petitioner. Section 3 notice amounting to Rs. 67,017.00 was issued on

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25.02.2017 as no payments were made. Payment against Section 3 was also not made so, the connection was permanently disconnected in the year 2022 and account was finalized vide PD OM No. 404 dated 06.07.2022. As per this PD OM Rs. 32,822.00 was waived of from the total outstanding dues and the revised amount of outstanding dues payable by the petitioner has been finalized as Rs. 34195.00.

5. The petitioner has submitted a rejoinder on respondent's WS dated 11.02.2025 wherein he has inter alia submitted that it is clear from the report of JE and AE that his connection was disconnected in the year 2005. So, how the bills have been issued after 2005, which needs to be investigated by your good self.
6. Final hearing in the case was held on scheduled date 09.04.2025. Both parties appeared for arguments. Respondent was represented by his advocate. Oral submissions from both parties were heard. Arguments were concluded and order was reserved. .
7. Records and documents as available on file have been perused. Arguments from both parties were heard. It is observed that a 1 KW domestic connection was released in favour of the petitioner on 12.07.1999. A perusal of billing history submitted by the respondent for the period 16.02.2008 to 23.08.2014 suggest that NR bills were issued for a prolong period in a single stretch from 18.02.2008 to 19.04.2010 whereafter 01 MU bill was issued on 11.08.2010 for 32 metered units. whereafter 02 bills were issued for NA and bills from 16.12.2010 to 23.08.2014 (the date up to which the billing history has been submitted) have been issued for IDF for such a prolong period in a single stretch. So billing for prolong period of NR and IDF is not only in contravention to regulatory provision but also shows that respondent Executive Engineers' written submission that bills from 11.06.2010 and onwards have been issued on the basis of reading proves to be a false submission. A Section 3 notice for Rs. 66,017.00 was issued on 25.02.2017. The copy of ledger submitted by respondent shows 0 (zero) opening balance on dues on 01.04.2011. A bill for Rs, 36,649.00 was issued on 20.04.2011. Bills upto 11.06.2014 has been issued regularly however, no payments were made by the consumer against the bills resulting into accumulation of outstanding dues to Rs. 66,017.00 on 25.02.2017 for which Section 3 notice was issued. The connection was permanently disconnected and accounts were finalized vide PD OM No. 404 dated 06.07.2022 which appears in the ledger on 14.09.2022

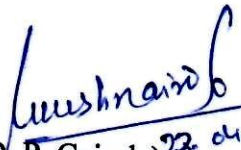
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showing waiver of fictitious dues Rs. 32,822.00 and actual payable dues Rs. 34,195.00 which according to respondents are payable by the petitioner revised section 3 notice for this amount has been issued. However, no evidence is available on the file to show that RC under section 5 of Dues Recovery Act, 1958 has also been issued and the same amount has been shown as closing balance in consumer's ledger.

Order


The petition is dismissed. Forum order is upheld.

Dated: 23.04.2025


(D. P. Gairola) 23.04.2025
Ombudsman

Order signed dated and pronounced today.

Dated: 23.04.2025


(D. P. Gairola) 23.04.2025
Ombudsman