

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri N. K. Kholia (Retd. D.G.C. Civil),
Tampturn Hall, Tallital, Nainital, Uttarakhand

Vs

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

Representation No. 18/2008

Order

This is a representation filed by Shri N. K. Kholia (Retd. D.G.C. Civil), Tampturn Hall, Cantt, Tallital, Nainital (petitioner). The representation relates to the electricity bill of one Shri Vivek Kholia, orders for correction of which had been given by the Consumer Grievance Redressal Forum, Kumaon, Haldwani (Forum) on 13.02.2006. The Forum's order determined consumption of electricity for the billed period based on the meter reading done on 30.05.2004 and the reading taken prior to issue of NR bills. The representation alleged that in spite of repeated efforts, UPCL has not implemented the Forum's above order corrected the bills.

2. The representation was admitted for hearing and notices were issued to the respondents. It was contested by the respondent through his counsel Shri S. M. Jain. The respondent filed his written reply and claimed that the matter having already been decided by the Forum the present representation cannot be entertained. It was also claimed that the Forum's order has been duly implemented. This was contested by the petitioner whose allegation is that respondent has not implemented the Forum's order and continues to send incorrect bills resulting in petitioner's undue harassment.
3. Notwithstanding the above objection, the respondent has filed a statement showing the details of the revised bill for the period 26.10.2001 to 30.05.2004 for which the Forum's order was passed. This statement shows that apart from the energy charges of Rs. 15,687.00 indicated in the Forum's order the respondent has billed the petitioner for the meter rent, the electricity duty and the fixed charges which had not been quantified in the Forum's order. In addition an arrear amount of Rs. 189.00 and surcharge on the same of Rs. 5,616.00 has also been included. According to the respondent now no issue remains to be settled. A copy of this was sent to the petitioner, who was asked to give his reaction to the respondent's claim, if any. The petitioner has no issue with the bill for the disputed period but has pointed out that the bills raised subsequent to 30.05.2004 still show the earlier arrear for the period 26.10.2001 to 30.05.2004 and surcharge has also been calculated on the same amount and is reflected in these bills. The billed amount

for this period having been corrected, this correction needs to be reflected in the subsequent bills also. Respondent's counsel has no objection to this reasonable request.

4. UPCL is accordingly directed to review and revise all subsequent bills in a manner that the arrear up to 30.05.2004 is as per the calculation given in Annexure F of its reply i.e., Rs. 23,648.00 as on 30.05.2004. Arrears for the period prior to 30.05.2004 having now been revised, surcharge on the revised amount only should be levied. This exercise should be undertaken and completed within eight weeks from the date of this order.

Dated: 15.07.2009

Divakar Dev
Ombudsman