

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Bawa Alloys (P) Ltd.
C-2/1, UPSIDC, Selaqui, Dehradun, Uttarakhand.

Vs

Uttarakhand Power Corporation Limited through its Executive Engineer, Electricity
Distribution Division (Rural), Dehradun, Uttarakhand.

Representation No. 16/2012

Order

M/s Bawa Alloys (P) Ltd. C-2/1, UPSIDC, Selaqui, Dehradun (petitioner) a consumer of Uttarakhand Power Corporation Ltd. (hereinafter referred as respondent/UPCL) having 350 KVA load for manufacturing of Aluminum Composite Panels has filed this representation on 08.05.2012 before the Ombudsman against the impugned order of Consumer Grievance Redressal Forum (hereinafter referred as Forum), Garhwal zone, Dehradun dated 18.04.2012 in their complaint no. 159/2011 filed before the said Forum against peak hour penalty amounting to Rs. 9,83,732.00 raised by the respondent, UPCL through bill for August 2011 (dated 05.09.2011) on account of peak hour penalty for violation of peak hour on certain dates in the month of January 2010 and March 2010, which were imposed in compliance of Uttarakhand Electricity Regulatory Commission's approval dated 18.01.2010.

2. On receipt of representation of the petitioner the respondent was asked to submit his written statement, which was submitted by the Executive Engineer, Electricity Distribution Division (Rural), Dehradun (respondent) on 28.06.2012. A rejoinder was also submitted by the petitioner on 10.07.2012. Hearing date was fixed on 24.08.2012, when the respondent was present but petitioner did not turn up nor sent any request for adjournment. During the hearing the respondent submitted detailed reply to the rejoinder of the petitioner. The respondent vide his letter no. 332 dated 31.10.2012 informed that the connection of the petitioner was permanently disconnected on 03.06.2012 on the petitioner's request. Account of electricity dues outstanding against the petitioner including the unpaid penalty amount under reference on the date of

permanent disconnection is also said to have been finalized by the respondent and as such there remains no grievance with regard to the penalty under reference.

3. It is also stated here that the supply of the petitioner was earlier disconnected in the last week of September 2011 due to nonpayment of dues, which was restored on 06.01.2012 under the orders of the Forum on part payment of the penalty amount. This was confirmed by the petitioner as well as the respondent. The supply was again disconnected on 30.03.2012 and permanent disconnection was done on 03.06.2012 as stated above.
4. The Forum vide its order dated 18.04.2012 had dismissed the complaint of the petitioner and held the penalty imposed by the UPCL justified.
5. I have gone through the records put up by both the parties. In view of the petitioner not appearing for hearing on the date fixed and intimated to both parties, viz. 24.08.2012 and his not replying to this office letter dated 27.08.2012 whereby he was sent a copy of the respondent's reply and office letter dated 01.11.2012 by which he was informed that the respondents had communicated that the petitioner's supply had been disconnected permanently on 03.06.2012 and that he may submit his reply/intimate a date for presenting his arguments. It would appear that the petitioner is no longer interested in pursuing this representation, possibly because he has no remaining grievance following the settlement between him and the respondent at the time of permanent disconnection on 03.06.2012. I therefore find no reason to interfere in the order of the Forum dated 18.04.2012. The petition is dismissed.

Dated: 12.12.2012

Renuka Muttoo
Ombudsman