

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Harendra Singh Rawat
S/o Late Shri Pushkar Singh Rawat
Vill. & P.O. Devalchaur,
Opp. Bihari Petrol Pump, Rampur Road,
Haldwani, Distt. Nainital, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Narayanbagad, Distt. Chamoli, Uttarakhand

Representation No. 19/2017

Order

The petitioner, Shri Harendra Singh Rawat aggrieved by the order dated 18.05.2017 of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum), has filed this representation before the Ombudsman.

2. The case in brief is that petitioner is aggrieved by a bill against his domestic connection for 1369 units amounting to Rs. 5,832.00 given in March 2017. Since the bill was allegedly fraudulent, a case was filed before the Forum upon which, petitioner alleges, department, in retaliation, filed a case of electricity theft and served him a bill for Rs. 78,643.00 for the period May 2016 to April 2017. Petitioner feels he has been constantly harassed by the department and as further evidence of harassment he says his electricity connection was disconnected and he was left to face the hot summer of May without electricity. He has also claimed that the small industry run by his unemployed son through the Aata Chakki was closed down and this action has rendered his son unemployed again. Petitioner has requested that he may be given justice and the application for a new power connection by his unemployed son given on 23.05.2017 may be sanctioned within prescribed time frame. He has further requested that he may be saved from harassment by the department, his financial, mental and physical harassment be investigated by an independent agency and directions be issued to the department to release connection to his unemployed son for

micro industry against his application dated 23.05.2017 within prescribed time limit and an effective judgment on the appeal be given.

3. Forum, in their order, have called for the consumer history and have found that while the meter was replaced on 19.12.2016 it was entered into record on 02.02.2017 and accordingly bills were issued. Forum have concluded that the consumption during the period 19.12.2016 to 23.03.2017 of 1398 units will need to be spread out as per monthly average and after adjusting for payments already made. They have therefore held that revised bill is in order except for the above. Forum have ordered accordingly. Regarding Aata Chakki, Forum have concluded that since the opposite parties have made assessment on the basis of unauthorized use of electricity under section 126 of the Electricity Act, 2003, and the Forum does not have powers to hear such a case, as such petitioner is free to approach the empowered authority in this matter.
4. Respondent in their written statement have asserted that since the petitioner has been running an aata chakki which is against rules, the connection will be changed to RTS – 2 i.e. commercial. They have also stated that during inspection on 04.05.2017, SDO, Tharali found the meter terminal plate broken and electricity theft was noticed. Accordingly a checking report with sealing certificate had been forwarded. Respondent have also taken exception to the fact that while petitioner is only 20-22 Kms away from electricity distribution office he does not make complaint to the office rather submits his complaints directly to the Forum/Ombudsman which leads to wastage of time of the department. Respondent have also informed that they have issued notice for assessment of Rs. 78,643.00 for a period of one year for unauthorized use as per Supply Code 2007.
5. Arguments have been heard on behalf of both parties and the record available has been examined. Forum finding on both counts, namely Forum not being entitled to hear cases u/s 126 of the Electricity Act, 2003 and secondly of revising the bill for the period 19.12.2016 to 23.03.2017 for recorded 1398 units on average basis, are correct and logical and the order is upheld. Respondent have not submitted the status of compliance of Forum order despite being directed to do so. They are directed to issue revised bill as per orders of the Forum in the next billing cycle, in case the same has not been complied so far. Petition is dismissed.

6. Action on petitioner's application dated 23.05.2017 for 5 KW load for non domestic category may be taken in accordance with UERC (Release of New LT Connections, Enhancement and Reduction of Load) Regulations, 2013.

Dated: 28.07.2017

(Vibha Puri Das)
Ombudsman