

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Manohar Singh
S/o Shri Nath Singh
Ward No. 3. Cement Road,
Tanakpur, Distt. Champawat Uttarakhand

Vs

Executive Engineer,
Electricity Distrubiton Division,
Uttarakhand Power Corporation Ltd.
Champawat, Uttarakhand

Representation No. 25/2016

Order

The petitioner, Shri Manohar Singh has filed this appeal against the order dated 12.09.2016 of Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) in complaint no. 82/2016.

2. Petitioner's case is that his connection no. KN20257 was sanctioned in the name of his grandfather the Late Shri Jagganath Singh which has been transferred now in the petitioner's name. The petitioner filed a complaint before the Forum based on problems in his electricity bills. He had repeatedly brought the discrepancies to the notice of the department but the department took cognizance of the same only in June 2015 when they adjusted nearly 25000 units from his bill, however this adjustment was not carried forward in the billing, the logic for which the petitioner has been unable to understand. Petitioner's claim is that since he has been depositing the entire bill levied on him he should be given full compensation for the 25000 units adjusted. Petitioner has also alleged that while he received a comparative chart of KVAH and KWH and it was pointed out that due to a mistake his electricity bills were being charged on KVAH terms rather than KWH, petitioner is not convinced that this faulty charging is confined to Rs. 36,136.00 which is the adjustment offered to him by UPCL. He has further pointed out that he has paid shunt capacitor charge for the period December 2014 to May 2015 and the bills in which shunt capacitor charge has not been levied is June 2013 to November 2014. Petitioner therefore alleges that for

the period when shunt capacitor charges has already been deposited he is being charged repeatedly and his complaints are not being given adequate attention. Petitioner claims that he has deposited the entire amount due to him through adjustment before June 2013. He is again being asked to deposit money of roughly similar amount which is completely unfair. He has therefore prayed that he may be compensated for the economic loss caused to him.

3. Forum in their order dated 12.09.2016 have allowed the complaint and directed that sum of Rs. 36,136.00 given as adjustment be adjusted in lump sum for the bill of April 2016. Petitioner's claim that MCG has been charged in the bill for April 2016 after the meter was changed at unit reading 300 has been accepted by the Forum. Since the new meter showed consumption of 117 units, Forum has held that while petitioner's consumption for April was 417 units and MCG of 283 (400-117) has been charged hence MCG was not chargeable to the consumer, accordingly the above order of the Forum. Forum also directed respondent UPCL to file compliance report by 17th October 2016.
4. In their written statement before the Ombudsman respondent UPCL have conceded that the bills for the period October 2012 to May 2015 for Rs. 1,39,022.00 had been framed on KVAH terms whereas in KWH terms the total amount due to him comes to 1,02,886.00. An adjustment of Rs. 36,136.00 was therefore given to the consumer in his bill of April 2016, August 2016 and September 2016. However again by mistake, shunt capacitor charge of Rs. 3264.00 had been levied from December 2014 to May 2015 for which adjustment had not been given. This adjustment will be given in the bill for the month of December 2016.
5. In his rejoinder the petitioner has again claimed adjustment for 25248 units for which he has already paid when he was given bills on KVAH readings up to May 2015. The adjustment of Rs. 36,136.00 allowed by the Forum had not been factored in these additional units which may be done. Further he has asked for refund of shunt capacitor charge for the period December 2014 to May 2015 which was already been paid by him and which has been again added in the revised bill.
6. Arguments have been heard and the documents available on record have been carefully perused. Forum have allowed relief of Rs. 36,136.00 by adjustment of bill for the period from 12/2012 to 05/2015 paid for in KVAH terms and now raised in

KWH terms. They have further allowed refund of shunt capacitor charge of Rs. 3,264.00 and also directed that levy of MCG in the bill of April 2016 is uncalled for and may be refunded. While adjustment of Rs. 36,136.00 was provided in the bills for the month of 04/2016, 08/2016 and 09/2016, respondent have now confirmed having given adjustment of shunt capacitor charge in the bill for the month of December 2016 and MCG in the month of April 2016 (as per billing history submitted by the respondent). It is therefore clear that all the reliefs accepted at the level of the Forum have been given as adjustment to the petitioner. Petitioner's complaint that he is entitled to further relief in terms of 25248 units for which he has paid in KVAH terms which needs to be further adjusted over and above Rs. 36,136.00 is neither borne out by the record nor is logical for obtaining these units by the petitioner as the difference of the reading in KVAH in the bill for May 2015 from the KWH reading for 06/2015. In fact the respondent had billed the petitioner from 12/2012 to 05/2015 on KVAH consumption while as per provisions of the appropriate tariffs he should have been billed on KWH consumption. The respondent had worked out the charges for the aforesaid period on KWH consumption as Rs. 1,02,886.00 against which the petitioner had paid Rs. 1,39,022.00 during the said period against the KVAH bills served to him during the said period as such he has paid Rs. 36,136.00 in excess over what was due to him. The respondent has allowed refund for the said amount of Rs 36,136.00 by way of adjustment in the bills as mentioned above. Further, refund of shunt capacitor charge of Rs. 3,264.00 for the period 12/2014 to 05/2015 has also been allowed to him in the bill for 12/2016 and MCG charged in the bill of 04/2016 has also been refunded by way of adjustment. Thus all the grievances of the petitioner have duly been redressed. Forum order is upheld. Petition is allowed.

7. The claim by the respondent in response to the direction for confirmation of adjustment of shunt capacitor charge in the bill for December 2016, that Rs. 36,136.00 was allowed by adjustment by mistake and only Rs. 23,224.00 was allowable is not backed by any evidence hence not accepted.

Dated: 31.03.2017

(Vibha Puri Das)
Ombudsman