

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Ranjeet Singh Bisht  
S/o Late Shri Ram Singh Bisht  
P.O. Garudbaaz, Almora,  
Uttarakhand

Vs

Executive Engineer,  
Electricity Distribution Division  
Uttarakhand Power Corporation Ltd.  
Almora, Uttarakhand

Representation No. 47/2019

**Order**

Date: - 21.11.2019

Shri Ranjeet Singh Bisht, the petitioner, being aggrieved with the Consumer Grievance Redressal Forum, Kumaon zone's (hereinafter referred to as Forum) order dated 26.08.2019 in his complaint no. 65/2019 before the said Forum against Uttarakhand Power Corporation Ltd. through Executive Engineer, Electricity Distribution Division, Almora (hereinafter referred to as respondent) has preferred this appeal/petition with the request that orders for revision of the bill with regard to fixed charges in accordance with tariff regulations be passed.

2. The petitioner has submitted that he had filed a complaint before the Forum against charging high fixed charges in the bill from 02.03.2019 to 19.05.2019 wherein instead of Rs. 110.00, Rs. 124.60 have been charged as fixed charges as the bill was for 68 days and not for 2 months (60 days) and the Forum vide its order dated 26.08.2019 had dismissed his complaint. He has averred that fixed charges have to be calculated on the basis of per month and not on the basis of number of days in the billing cycle.
3. In the instant case the rate of fixed charges as per tariff was Rs. 55.00 per month, even the tariff during the period of this bill was revised but rate of fixed charge still remain the same and thus the fixed charges in the bill under dispute should have been Rs. 110.00 instead of Rs. 124.60 as charged in the bill and upheld by the Forum, so

Forum order is not justified in view of tariff provisions and needs to be set aside and necessary correction in the bill with regard to fixed charges has to be done and he has requested that necessary orders may be passed in the case.

4. The Forum in their order dated 26.08.2019 having held that since the bill was for 68 days instead of 60 days so calculation of fixed charges on per day basis is justified and logical and therefore the fixed charges Rs. 124.60 charged in the bill are correct and payable by the petitioner so they have dismissed the complaint.
5. The respondent Executive Engineer has submitted his written statement vide his letter no. 4543 dated 04.10.2019. He has submitted that in the bill of connection no. AR-1/1341/003033 for the period 12.03.2019 to 19.05.2019 (a perusal of the bill available on file shows the bill period as 02.03.2019 to 19.05.2019) for 68 days the fixed charges have been levied on per day basis as Rs. 124.67. He has further submitted that in view of change of financial year and change of tariff bill for March and April are prepared on pro-rata basis so bill is correct. He has further stated that his complaint no. 65/2019 filed before the Forum has duly been dismissed vide Forum's order dated 26.08.2019. He has again submitted that as the bill from 12.03.2019 to 19.05.2019 for 68 days has been issued online and fixed charges have been levied for 68 days instead of 2 months so petitioner's submission that he is liable to pay fixed charges only Rs. 110.00 at the rate of Rs. 55.00 per month is wrong and thus the petition is liable to be dismissed.
6. The petitioner in his rejoinder dated 21.10.2019 has reiterated the submissions made in his petition. In the rejoinder he has mentioned some other cases which are irrelevant for his case.
7. Hearing in the case was held on prescheduled dated 13.11.2019, both parties appeared. The petitioner Shri Ranjeet Singh Bisht appeared himself and respondent was represented by Shri Ajay Bharadwaj, SDO both of them argued their case based on their submissions already made in their petition, rejoinder and written statement respectively and no new point or evidence has been adduced.
8. The documents available on file have been perused and arguments have been heard from both the parties. It is found that the bill from 02.03.2019 to 19.05.2019 for metered units 57 KWh has been issued in which fixed charges Rs. 124.60 have been

levied on proportionate basis based on the rate Rs. 55.00 per month. This bill is covered by 2 tariffs i.e. for the year 2018-19 and 2019-20. In both these tariffs the rate of fixed charges for this category of consumer up to a consumption of 100 units is Rs. 55.00 per month and thus the submission of respondent that since this bill is covered by 2 tariffs, the rates of fixed charges have been levied on pro-rata basis is not sustainable not being consistent with tariff provisions. Further it is clarified that the domestic consumers, are billed bi-monthly and rates of fixed charges have also accordingly been provided on monthly basis and not on per day basis in case the bill is for more than 2 months as in the instant case. The interpretation of the tariff order with regard to applicability of fixed charges has wrongly been done by the respondent and therefore charging of fixed charges on per day basis amounting to Rs. 124.60 instead of Rs. 110.00 as per tariff provisions is neither justified nor logical and therefore cannot be approved. The respondent is directed to issue revised bill providing for Rs. 110.00 as fixed charges. Petition is allowed. Forum order is set aside.

9. Respondent may ensure to issue bills strictly in accordance with tariff provisions.

Dated: 21.11.2019

Subhash Kumar  
(Ombudsman)