

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Rajkumar
S/o Shri Simru
Village Peerpura, P.O. Manglaur
Tehsil Roorkee, Distt. Haridwar
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Rural),
Uttarakhand Power Corporation Ltd.
Civil Lines, Roorkee,
Distt. Dehradun, Uttarakhand

Representation No. 28/2019

Order

Dated: 26.07.2019

The petitioner, Shri Rajkumar S/o Shri Simru Village Peerpura, Distt. Haridwar, being aggrieved with order dated 25.04.2019 of Consumer Grievance Redressal Forum., Haridwar zone (hereinafter referred to as Forum) in his complaint no. 19/2019 against respondent, Executive Engineer, Electricity Distribution Division (Rural), Roorkee has filed this representation before the Ombudsman with the request that corrected bill based on metered consumption without levy of LPS and under the tariff applicable to BPL category of consumers, be given to him and his defective meter be replaced.

2. The petitioner in his petition dated 22.05.2019 has submitted that a domestic connection under BPL category was given to him at his residence in the year 2010 when meter no. 29142 was installed which became defective on 04.08.2018. A new meter no. U415572 was installed at his residence in place of the old defective meter. He has stated that the bills at the tariff applicable to BPL category consumers have never been issued to him. The bill for the period 15.03.2010 to March 2019 amounting to Rs. 25,761.00 was given to him which needs to be corrected and a corrected bill without levy of LPS is expected to be given to him. A complaint was lodged before the Forum but the Forum did not order for correction of the bill as

requested for. He has requested that the aforesaid bill be got corrected at the tariff rates applicable to BPL category consumers and such corrected bill without LPS be given to him.

3. The Forum after considering the submissions made by the complainant in his complaint and the opposite party's reply thereto that the corrected bill of Rs. 25,761.00 has been given and the defective meter has also been replaced and as the complainant has also agreed to the aforesaid corrected bill have ordered that since the opposite party have resolved the complaint the same has been disposed off.
4. The respondent Executive Engineer in his written submission dated 10.06.2019 has submitted that the bill for the period 15.03.2010 to March 2019 was corrected and such corrected bill amounting to Rs. 25,761.00 had duly been given to the petitioner. The Forum also held the said corrected bill as correct in their order dated 25.04.2019 and directed the petitioner to pay the same. The respondent has requested that as the bill has been corrected/revised as per rules and the same also held correct by the Forum, the Ombudsman may also kindly like to decide the case accordingly.
5. The petitioner in his rejoinder dated 15.06.2019 still contested that his bill has yet not been revised on the tariff applicable to BPL category consumers so the respondent be asked to issue a revised bill on the tariffs applicable to the BPL category consumers to which category he belongs to and such bill be given without LPS.
6. The respondent was directed to clarify whether the corrected bill as aforesaid and submitted before Forum was prepared on the rates applicable to BPL category consumers. The respondent Executive Engineer vide his letter no. 1971 dated 04.07.2019 have informed that bill of the consumer has further been revised at the tariff rates applicable to BPL category consumers and now the amount of such revised bill is Rs. 8,187.00. Calculations for working out this revised bill has also been enclosed with the said letter. Since it was not clear that whether this revised bill contains the amount of LPS or not during hearing on 19.07.2019 the respondent's representative Shri Sanjay Kumar Astt. Engineer (Revenue) who appeared on behalf of the respondent informed that the amount of corrected bill Rs. 8,187.00 includes LPS Rs. 3,353.00 also. He has submitted a written argument dated 19.07.2019 before the Court to the effect wherein he has specifically mentioned that as a consolidated

bill for the period 03/2010 to 03/2019 amounting to Rs. 8,187.00 including LPS Rs. 3,335.00 has been issued under BPL category it is not justified to charge LPS and therefore after deducting the amount of LPS a further corrected bill amounting to Rs. 4,852.00 is proposed to be issued.

7. A perusal of the records as well as arguments from both the parties and the written argument of the respondent reveals that a corrected bill amounting to Rs. 25,761.00 prepared on tariff applicable to general category consumers was given to the petitioner and was put up before the Forum which was also upheld by the Forum. The Forum somehow could not give cognizance to the petitioner's submission that since he was given a connection under BPL category so his bills should also have been prepared on the tariff applicable to BPL category of consumers and thus upheld the revised bill of Rs. 25,761.00 submitted by the respondent by them. Since the respondent vide his letter dated 04.07.2019 has submitted that bill under BPL category has since been revised to Rs. 8,187.00 and as further submitted in the written argument dated 19.07.2019 that this revised bill also includes LPS amounting to Rs. 3,335.00 and as one single consolidated bill for the period 03/2010 to 03/2019 has now been given by the respondent levy of Rs. 3,335.00 towards LPS is not justified.
8. The respondent are therefore directed to issue a revised bill after deleting the LPS Rs. 3,335.00 i.e. a bill amounting to Rs. 4,852.00 (Rs. 8,187.00 – Rs. 3,335.00) within 15 days from the date of this order. The respondent have also confirmed that the defective meter has since been replaced, so petitioner's request on this point stands redressed. Forum's order is modified as aforesaid. Petition is allowed.

Dated: 26.07.2019

(Subhash Kumar)
Ombudsman