

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Alok Bagwari  
Guptkashi, Tehsil Ukhimath,  
Distt. Rudraprayag, Uttarakhand

Vs

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

Representation No. 19/2019

### **Order**

Date: - 20.06.2019

The petitioner, Shri Alok Bagwari aggrieved with the order dated 21.02.2019 in complaint no. 135/2018 of the Consumer Grievance Redressal Forum, Srinagar zone (hereinafter referred to as Forum) has stated that while he had discharged all his bills before the Kedarnath disaster in June 2013, and State Government had waived electricity bills for the period 01.04.2014 to 31.03.2017, he was charged at lower rates of low consumption during the rebate period and on 06.11.2017 he received a demand notice from Executive Engineer, Rudraprayag for deposit of Rs. 19,850.00 if he deposits by 30.11.2017 and inclusive of notice charges dues of Rs. 19,875.00. In the month of January 2018 within a period of one month he was shown consuming more than 18,000 units which should have been shown during the rebate period. Further, in September 2018 he was given a bill of Rs. 1,71,882.00. His request for correction of the bill was not entertained and on 22.10.2018 he was persuaded to deposit Rs. 85,901.00 on the ground that if he writes to the Forum his bill will be corrected. However, when he approached the Forum he was not given a hearing and hence he is constrained to approach the Ombudsman. He also claims that he has been regularly depositing his bills and in the month of March 2019 also he has deposited a bill of Rs. 3,961.00 and except for the period of the disaster, he has deposited all his dues. Petitioner's case is that the units that should have been billed during the rebate period for disaster relief have been billed to him later and it is on that count that he has been

given a demand notice of Rs. 19,850.00 in November and 18000 extra units in January 2018. Accordingly, he has requested for justice and correction of this bill of more than 18000 units.

2. Forum, in their order dated 21.02.2019, have observed petitioner's statement that he has not been given appropriate rebate as per entitlement of GO while his hotel remained closed due to this disaster. His request for rectification of his bill was examined and Forum concluded that as reported by opposite party, benefit of total electricity consumption amount of Rs. 24,505.00 has been given to the petitioner for the period April 2014 to March 2017. This adjustment has been reported in the bill dated 10.04.2017. Accordingly Forum found no justification for petitioner's complaint and dismissed the same.
3. In their revised written statement respondent UPCL have confirmed that disaster affected areas of Shri Kedarnath/Kedar Ghati were entitled to rebate in electricity bills for the period 2013 (correct date is 01.04.2014) to March 2017 as per Government order. They have also confirmed that bill for 28.05.2013 was 537.00 and for June 2013 Rs. 429.00 and these bills were for metered units and paid by petitioner. Respondent have disputed petitioner's allegation of inadequate benefit having been received since he has been given 3 installments of rebate amounting to Rs. 22,327.00, Rs. 2,776.00 and Rs. 6648.00. The last mentioned Rs. 6,648.00, was given by mistake whereas his entitlement was Rs. 3,601.00 and therefore a sum of Rs. 3047 was recovered from him in April 2017. Respondent have asserted that the bill of Rs. 1,71,882.00 for September 2018 is correct as per divisional records since petitioner's arrears have been mounting as he has not been regularly depositing his dues.
4. In his rejoinder petitioner has reiterated his statement in the petition that he has not received full benefit of rebate for the disaster period 2013 to 2017.
5. Both parties have been heard and record available has been carefully perused. Respondent were requested to provide further information regarding MRI of old meter for the period April 2014 to August 2015 and for new meter for the period August 2015 to March 2019; if any amendment has been issued to the GO dated 26.05.2014; breakup of total dues shown in bill for January 2018. Respondent through their letter dated 13.06.2019 have informed that the old meter having been burnt, was

changed by the Test Lab and MRI of that meter is not possible. The new meter MRI is enclosed (the MRI enclosed is for the period July 2018 to 13.06.2019). No amendment to the GO dated 26.05.2014 has been reported. Respondent have also given a copy of the online ledger which gives details of total dues and amount deposited. It is clear therefore that MRI for the two meters which would have helped clarify the consumption patterns across the entire period of 2013 to 2018 is not available. No changes in the GO dated 26.05.2014 have been notified and rebate/remission is admissible only as per this GO. There is no evidence to suggest that listing of dues for each of the years for which remission is admissible is incorrect as it is based on consumer ledger and metered units. The NA/NR bills for 03/2016 to 01/2017 and for 03/2017 & 04/2017 have been adjusted in the immediate succeeding month through metered unit bill of February 2017 for 101 units and for May 2017 for 466 units. It is also relevant to point out that 5 bills for the period 08/2017 to 12/2017 are NR bills and therefore as clarified by respondent in their written statement and also evident from consumer billing history, billing for this 5 month period is reflected in the bill for the month of January 2018. As such it cannot be considered as dues for 1 month but for 6 months. Petitioner's complaint regarding notice dated 30.11.2017 for Rs. 19,875.00 has been examined. The consumer ledger suggests that this comprises dues ending 03/2014 and the dues accrued from 04/2017 to 09/2017 and does not include the dues from 04/2014 to 03/2017 amounting to Rs. 28,704.00 which have been waived off in compliance to GO dated 26.05.2014. The grievance of the petitioner and his request for correction of his bill is not justified as is clear from the analysis above. Forum have correctly dismissed the petitioner's complaint. Forum order is therefore upheld. Petition is dismissed.

Dated: 20.06.2019

(Vibha Puri Das)  
Ombudsman