

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt Poonam Sinha
W/o Shri S. S. Sinha
House No. 394/116, Giritaal Colony,
Court Road, Kashipur, Distt. Udham Singh Nagar,
Uttarakhand.

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Kashipur, Distt. Udham Singh Nagar, Uttarakhand

Representation No. 10/2021

Order

Dated: 27.08.2021

Being aggrieved with the Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) order dated 18.02.2021 in her complaint no. 66/2020 before the said Forum against Uttarakhand Power Corporation Ltd. through its Executive Engineer, Electricity Distribution Division, Kashipur, Udham Singh Nagar (hereinafter referred to as respondent), Smt. Poonam Sinha W/o Shri S. S. Sinha R/o 394/116, Giritaal Colony, Court Road, Kashipur has preferred this appeal for corrections of the disputed bill.

2. The petitioner Smt. Poonam Sinha has preferred this appeal dated 15.03.2021 read with her revised appeal dated 10.06.2021 wherein she has submitted that the appeal is being preferred on not being agreed with Forum order on the following points.

A bill for the period 12.02.2020 to 12.06.2020 (for 4 months) for 1962 units amounting to Rs. 8,698.72 was received in which details of calculations have not been provided on subsequent requests online, no clarification was given by the respondent so it is not understood as to how this amount has been worked out. Further bill has been prepared on a paper of 2 inch by 12 inch having no details of the calculations about the amount of the bill. She has requested that bill should have been issued on A4 size paper containing all details. Subsequently she requested the respondent to

give details of this bill of 4 months. The respondent then submitted some details vide letter dated 27.11.2020. She has also submitted that a bill of 2 months from 12.02.2020 to 12.04.2020 for Rs. 4,926.00 of NR was received on her mobile which was duly paid. She has raised a question that how a subsequent bill for the period 12.02.2020 to 12.06.2020 was received for metered consumption of 1962 units when earlier bill of NR for 2 months have duly been paid for Rs. 4,926.00. This bill should have been issued after adjusting the already paid bill for 2 months which has not been done by the respondent and that way excess amount has been billed. She has further stated that the bill contains Rs. 303.54 as additional energy charges Rs. 1,000.00 as fixed charges, ED Rs. 294.30, these charges have been levied without any authority and should have not been charged. Bill should be given for a month and not for 2 months, while no new appliances have been installed at her residence during last 2 years, bills for excess consumption are being received from 12.02.2020 to 09.10.2020 and further up to 12.12.2020. These bills of heavy consumption are being received after filing complaint in the Forum on the disputed bill from 12.02.2020 to 12.06.2020. It appears that bills on fictitious readings are being issued.

3. In her revised petition dated 10.06.2021 she has removed certain shortcomings as were observed in this office in her original appeal and no other facts about the case except those mentioned in her original appeal have been raised.
4. The Forum after perusal of the records and hearing arguments from both parties have partially allowed the complaint with the direction to the opposite party for submission of meter checking report by 19.06.2021 to the said Forum.
5. The respondent Executive Engineer has submitted his written statement dated 02.07.2021 along with an affidavit. The respondent has submitted that due to Covid-19 bills to the consumers in general were issued on NR from March 2020 to May 2020 and accordingly bill of the petitioner from 02/2020 to 04/2020 was issued on NR for 940 units for a sum of Rs. 4,926.00. He has denied the submission of the petitioner that bill from 12.04.2020 to 12.06.2020 was issued for a sum of Rs. 8,698.72. While the fact is that a consolidated bill for 4 months for 1962 units from reading 21630 to 23,592.00 was issued for Rs. 5,340.00 after adjustment of the amount of previous NR bill which was duly paid by the petitioner on 11.07.2020 on online. Bills are issued as per appropriate tariff orders issued by UERC and calculations are duly shown in the

bill regarding size of the bill, the respondent has submitted that the size has been prescribed by the headquarter. The respondent has stated that the petitioner has submitted her own calculations which are not correct. Regarding additional energy charges he has submitted that the same has been levied as per UERC's orders dated 25.10.2019 and the same cannot be refunded. A copy of the UERC order and UPCL MD's order dated 21.10.2019 has been adduced by him. Regarding fixed charges, the respondent has clarified that the same has been levied as per relevant tariff order, a copy of tariff order has also been adduced. Copy of the complaint and the reply submitted by the respondent before the Forum have also been submitted with the written statement. He has also submitted that calculations of the bill are duly shown in the bills.

6. It has further been reported by him that meter of the petitioner was checked by AE (Meter) on 10.03.2021 and 17.03.2021 in compliance to Forum's order dated 18.02.2021. In meter checking report dated 10.03.2021 when MRI was also done, all parameters were noted, voltage and current was also measured by tong tester and the same were found equal as in the MRI and tong tester. Reading in the meter on 10.03.2021 was found 29701 KWH and the same reading was appearing in MRI also. MRI of the meter was again done on 17.03.2021 when reading was found 29816 KWH. According to the said study consumption from 10.03.2021 to 17.03.2021 was recorded as 115 units in 7 days. The study indicates that the meter is working correctly but, time and dates were not being displayed correctly, necessitating replacement of the meter. Accordingly the meter was replaced on 14.06.2021. He has corroborated his submissions with documents adduced as annexure 1 to 29 which are available on file.
7. In her rejoinder dated 19.07.2021 the petitioner has shown her disagreement with the submissions of the respondents and has requested that her complaint dated 07.07.2020 before Forum be considered as a basis in the matter. The other points mentioned in the rejoinder are merely a reiteration what she had already mentioned in her petition and no new fact about the case has been mentioned.
8. Hearing in the case was fixed for 16.08.2020 which was subsequently fixed for 20.08.2021 and finally for 23.08.2021. The petitioner vide her letter dated 18.08.2021 has requested that she is not able to appear for arguments due to Covid-19 being a

senior citizen of more than 60 years of age and has requested to decide her case on the basis of her appeal. The respondent Executive Engineer Shri Anil Verma appeared for arguments and he explained his case duly supported by documentary evidences as already submitted by him with written statement. The arguments were concluded and order was reserved for 27.08.2021.

9. The documents available on file have been perused carefully and arguments of the respondent have been heard. It is revealed that the petitioner's averments, allegations and submissions made in her petition, revised petition and rejoinder are very vague and tenuous. It appears that she is guided by some apprehensions and is not aware about the tariff provisions as well as other orders issued by UERC/UPCL regarding levy of charges other than energy charges such as fixed charges, electricity duty, additional charges, fuel charges etc. and it appears that complaint before the Forum and appeal before the undersigned has been preferred under some misguided impressions. On the other hand the respondents have very strongly submitted their case based on relevant documentary evidences as mentioned in their written statement. It is found that the bills issued by the respondents are correct and are prepared strictly in accordance with applicable rate schedules and other administrative orders of the government, UERC and UPCL and no irregularity or mistake has been committed by the respondents in preparing such bills. In view of the facts of the case the appeal does not succeed and the same is therefore dismissed. Forum order stands upheld with modifications in this order. The petitioner is therefore liable to pay the latest outstanding dues if any as per the bills raised by the respondents.

Dated: 27.08.2021

(Subhash Kumar)
Ombudsman