

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-09
No. CGRF/Complaint No. 1232/4/20/044

Complaint No.: - 1232/4/20/044
Date of Admission: - 22.12.2020
Quorum: - Er. Vikas Gupta, Member.
Sh. K.S Dhaulta, Member.

Smt. Neeru Sharma w/o Sh. Bhupinder,
R/o Rishikesh Sadan Shanti Kutia Chakkar
Shimla District Shimla (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-17 1004.
2. The Sr. Executive Engineer,
City Electrical Division, HPSEBL,
Lift Shimla Distt. Shimla-1 (HP).
3. The Assistant Executive Engineer,
City Electrical Sub-Division HPSEBL,
Boileauganj, Distt. Shimla-5 (HP).

Respondents

Final hearing:-

19.04.2021

Present for:-

Complainant	1. Sh. Bhagwan Chand, Advocate.
Respondent	1. Sh. Anil Kumar God, Advocate 2. Sh. Kamlesh Saklani Law Officier HPSEBL

Date of Decision: -

19.04.21

ORDER

1. The complainant has filed this instant complaint under regulation 17 of HPERC (CGRF & Ombudsman) Regulation 2013. The complainant is a consumer of electricity under commercial Supply Tariff having connected load of 47 KW. The complainant has submitted that her premises was vacated on dated 30.11.2016 by HPPCL and since 01- December-2016 to ending April 2017. It is quite evident vide his **Annexure P-7** written to Secretary, (Estate) Tax Municipal Corporation, HP which her letter dated 29.04.2017. Complainant further giving submission that her premises got tenanted to NHAH during Sep. 2017. Till then premises remained vacant. Further the complainant admits that her meter got burnt during the second week of October, 2017 which was replaced by respondent, HPSEBL. The respondent has not issued any energy bill for the period October, 2017 to February, 2018 on account of this burnt meter. The respondent HPSEBL further issued energy bill dated 12.09.2020 amounting to Rs. 1,64,245/- which includes sundry charges amounting to Rs. 1,48,235/- + arrear Rs. 2874/- vide Annexure P-10.
2. Respondent, HPSEBL in its reply has submitted that these sundry charges and arrears pertain to the period January 2017 to December 2017. However the Respondent, HPSEBL has issued energy bill every month since February, 2017 onwards. The complainant has intimated that her meter was burnt in October 2017, whereas the Respondent HPSEBL has replaced the meter during Dec, 2017 vide MCO dated 23.12.2017.
3. From the records of the aforesaid case and the complainant submissions in her complaint it's undisputed that her premises remained vacant since 30.11.2016 to September 2017. The complainant has further submitted that the she was in active correspondence with HPSEBL authority and Municipal Corporation Authorities, when her premises was vacant, as evident from AnnexureP-4 to P-7. Moreover, the record furnished by the Respondent HPSEBL does not controvert the fact that the complainant premises remained vacant during period 30.11.2016 to September, 2017.
4. Undeniably the fact remains that it was the responsibility of the concerned officer/ officials of HPEBL to get notice of the burnt meter well in time and replace it immediately. Record does not show such action on the behalf of HPSEBL authorities. Further there is neither any MRI data placed on record nor any justiceable reasons submitted by Respondents to substantiate the bill Annexure P-10.

In view of above mentioned observation and facts, the impugned bill Annexure P-10 dated 12.09.2020 amounting to Rs. 1,64,245/- being wrong and unjustified in the facts stated above, is accordingly quashed and set- aside. The Respondent Board is directed to issue the new bill to consumer as per provisions of two part tariff for relevant period. It's further directed that the fresh bill to be issued to the consumer shall not include sundry charges amounting to Rs. 1,48,235/- and alleged arrears of Rs. 2874/- which have been wrongly charged in Annexure-P10 . In the aforesaid terms the complaint is allowed and disposed of.

The Case File be consigned to record room after due completion. A copy of the order be kept in safe custody of folder of orders. The certified copy of these orders be supplied to both the parties.

Dated:-19.04.2021

Place:- Shimla

Sd/-
(K.S. Dhaulta)
Member

Sd/-
(Vikas Gupta)
Member

Notice

Registered
CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.
No.CGRF/Complaint No. 1232/4/20/044 **Dated:-**

Smt. Neeru Sharma w/o Sh. Bhupinder,
R/o Rishikesh Sadan Shanti Kutia Chakkar
Shimla District Shimla (HP).

Complainant

V/s.

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Respondents

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Boileauganj, Distt. Shimla-5 (HP).

Respondents

The Certified copy of final order dated 19.04.2021 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/ intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.