

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Shri Vinod Kumar
S/o Late Shri Shankar Lal
Talli Bamori, Barsati Nahar Road,
Near Shiv Mandir, Haldwani,
Distt. Nainital, Uttarakhand.

Vs

The Executive Engineer,
Electricity Distribution Division (Urban),
Uttarakhand Power Corporation Ltd.
Tikoniya, Haldwani,
Distt. Nainital, Uttarakhand

Representation No. 30/2019

Order

Dated: 30.08.2019

Being aggrieved with order dated 30.03.2019 of the Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) in his complaint no. 14/2019 before the said Forum against Uttarakhand Power Corporation Ltd. through Executive Engineer, Electricity Distribution Division (Urban), Haldwani (hereinafter referred to as respondent) and as directed by the Forum vide their order dated 06.05.2019 in his review complaint, Shri Vinod Kumar S/o Late Shri Shankar Lal has filed this appeal before the Ombudsman.

2. The petitioner in his appeal dated 27.05.2019 has stated that a defective meter was installed at his premises on 03.01.2019 and a bill of Rs. 8,128.00 was given to him after 5 days of installation of the meter which was a defective meter and copy of the sealing certificate was not given to him. He has submitted that as his grievance had not been redressed by the Forum so he has filed this appeal with the request that the respondent be directed to install a correct meter with zero initial reading and give a copy of the sealing certificate thereof to him. The meter installed on 03.01.2019 without giving him a sealing certificate be removed. Bill for minimum charges from 03.01.2019 till installation of the new meter be issued to him. He has averred that it was mandatory for the respondent to install a meter at zero initial reading and give the

sealing certificate thereof to him but not doing the same is a deficiency in service on the part of respondent. So the respondent be asked why a disputed/defective meter was installed on 03.01.2019 without giving him a copy of the sealing certificate. He has requested that a meter at zero initial reading be installed and a copy of the sealing certificate be given to him.

3. The Forum after perusal of the case file and hearing arguments observed that the main complaint of the complainant was regarding not giving him the bill on the initial reading at which the meter was installed which is mentioned in the sealing certificate. The opposite party submitted before them that the bill had since been revised on initial reading 3595 as mentioned in the sealing certificate. In evidence the opposite party has submitted a copy of ledger which clearly reveals that problem of the complainant has duly been resolved. Regarding complainant's request for installation of a meter with zero initial reading the Forum observed that since the installed meter was not defective there was no justification for its replacement or installation of another meter with zero initial reading. The Forum accordingly disposed off the complaint.
4. On the review complaint of the complainant the Forum vide their order dated 06.05.2019 has informed the complainant that since the Forum has no power to review its own judgment so no order can be passed on the review complaint however they directed the complainant to file an appeal before the Ombudsman if he is dissatisfied or aggrieved with Forum order.
5. The respondent in their written statement vide his letter dated 16.07.2019 wherein he has submitted that connection no. 3823926126651 for 1 KW was released to the petitioner on 09.11.2018 (correct date as per sealing certificate is 13.11.2018). The complaint filed by him before the Forum was disposed off on 30.03.2019 as the complaint had duly been resolved by the respondent. He has further stated that meter no. 32244482 was installed at petitioner's premises in the month of November 2018 at initial reading 3595 however inadvertently a wrong bill was sent to him in which the initial reading was shown as zero as soon as the mistake came to notice the bill was revised taking initial reading 3595 on 25.01.2019. His complaint filed before the Forum on 04.02.2019 was duly disposed off by the Forum. The respondent has further stated that a correct meter with 3595 initial reading was installed at his premises on

13.11.2018 and no meter was ever installed in his premises on 03.01.2019. While enclosing a copy of the sealing certificate he has averred that the installed meter is correct and is recording correctly so it cannot be replaced. He has further submitted that bills are being issued as per metered consumption.

6. A copy of respondent's letter dated 18.02.2019 submitted before the Forum with which a copy of ledger has been enclosed shows that the connection was released on 09.11.2018 bill dated 07.01.2019 was issued for Rs. 8,128.00 which was subsequently revised to Rs. 328.00 on 25.01.2019 which also confirms his averments in written statement.
7. An undated rejoinder was submitted by the petitioner which was received in office of Ombudsman on 29.07.2019 which is nothing but reiteration of his petition.
8. Hearing was fixed on 19.08.2019 when Shri Mohan Ram, AE (R) appeared on behalf of respondent and submitted his arguments. He informed that connection was released on 13.11.2018 as per sealing certificate at initial reading 3595. The reading in the meter on 10.07.2019 was 4457 and therefore 13.11.2018 to 10.07.2019 metered consumption was 852 units. Total dues against the petitioner from 13.11.2018 (date of connection) till 10.07.2019 are Rs. 3,281.00. He argued that meter is working correctly (as also averred in the written statement) and the bill dated 07.01.2019 inadvertently issued for Rs. 8,128.00 taking initial reading as zero was subsequently revised to Rs. 328.00 on 25.01.2019 taking the initial reading as 3595 and as such no grievance remained unredressed.
9. As the petitioner did not come on the above hearing date another date 28.08.2019 was fixed for hearing to give him final opportunity to argue his case, while Shri Shashikant Singh, SDO appeared on behalf of respondent, the petitioner did not turn up this time too. Respondent submitted letter dated 26.08.2019 along with sealing certificate dated 19.08.2019 for installation of check meter and dated 26.08.2019 for finalization of the same. According to these sealing certificates 26 units consumption has been recorded by both the meters, which confirms existing meter's veracity as also submission of the respondent holding their meter working correctly. To substantiate the correctness of the initial reading 3595 a consumer billing history of Shri Girish Chand S/o Shri Ram Dutt connection no. 382N918120333 where, as per

history meter no. 32244482 was installed on 23.03.2014 and advised to the system for billing in the month of 07/2014. The final reading of this meter in the month of 09/2018 at the premises of the aforesaid consumer was 3585, where from this meter is said to have been installed at the premises of the petitioner after permanent disconnection of the connection of Shri Girish Chand S/o Shri Ram Dutt and hence the initial reading at the time of installation of this meter at the premises of petitioner shown as 3595 in the sealing certificate is proved to be correct. Arguments from respondent's representative SDO were heard and concluded.

10. Documents available on file have been perused and arguments from the respondent were heard on 19.08.2019 and again on 28.08.2019, while the petitioner did not come to submit his arguments. It is borne out that connection was released to the petitioner on 13.11.2018 through sealing certificate no 092393 dated 13.11.2018 at initial reading 3595 and not on 03.01.2019 as alleged by the petitioner. The respondent have categorically denied installation of any meter on 03.01.2019. As the petitioner has not submitted any evidence to prove his allegation that a defective meter without giving a copy of sealing certificate was installed at his premises on 03.01.2019 cannot be accepted for want of any evidence and in view of petitioner's denial for installation of such a meter on 03.01.2019. Bill amounting to Rs. 8,128.00 was inadvertently issued on 07.01.2019 taking initial reading zero was subsequently corrected to Rs. 328.00 taking initial reading as 3595 instead of zero as per sealing certificate dated 13.11.2018. As per billing history of the petitioner from January 2019 to July 2019 the outstanding dues ending July 2019 are Rs. 3,281.00 after taking into account correction of the first bill from Rs. 8,128.00 to Rs. 328.00 allowing an adjustment of Rs. 7,800.00 as such the bills have been issued based on metered consumption by a correct meter and therefore there is no force in the allegations of the petitioner. The petition is therefore dismissed with no costs. Forum order need not be interfered with.

Dated: 30.08.2019

(Subhash Kumar)
Ombudsman