

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Parvati Kushwaha
W/o Late Shri Bharat Kushwaha
Near ITI, Behind Sushila tiwari
(Gabde Mai), Rampur Road, Haldwani,
Distt. Nainital, Uttarakhand

Vs

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

Representation No. 20/2013

Order

The petitioner, Smt. Parvati Kushwaha approached the office of Ombudsman with her petition on 16.09.2013 against the order of the Consumer Grievance Redressal Forum, Kumaon Zone (hereinafter referred to as Forum) dated 17.07.2013 in her complaint against the Uttarakhand Power Corporation Ltd. (hereinafter referred to as respondent) for their demand of Rs. 19,446.70 in the bill for the months of August and September 2012.

2. The petitioner has stated that she and her husband had built a one room house in 2005. The petitioner took a 1 KW connection at the time. Subsequently the petitioner kept adding to the house, room by room till 2012. The petitioner claims that the house began with one room and bathroom to which more rooms were added over the years and the position of 2012 of four sub meters and existing electrical points at the moment (6 CFL bulbs, 5 fans and 1 TV) did not exist from 2005. She claims that since installation of the meter the meter reader would come every two months and take the reading. Suddenly she got a bill for the period 31.07.2012 to 30.09.2012 for consumption of 6357 units. The petitioner states that when she complained to the respondent a check meter was installed after nearly two months on 01.12.2012. Subsequently she claims that without informing her of any of the facts, the old meter

and the check meter were removed and a new meter was installed on 01.12.2012. The petitioner has appended details of units consumed from 30.01.2012 to 31.01.2013.

3. The petitioner approached the Forum who held that the excessive number of units shown in the bill of August and September 2012 were due to cumulative arrears from the time the meter was installed as the meter reader had not been giving the correct readings. The petitioner states that the Forum's claim that from 2005 to November 2012 (94 months) 16480 units have been consumed averaging 179 units per month is wrong as in 2005 she had only one room and has been adding on rooms over the years, hence, her consumption was not the same from the beginning. The petitioner has requested that the order of the Forum be set aside and dues raised by the respondent on inflated consumption be set aside.
4. The Forum in their order have given the details of units consumed as per the two monthly bills from 31.01.2012 to 31.01.2013. The Forum has taken cognizance of the results of the check meter installed by the respondent from 01.12.2012 to 07.12.2012, which showed that the old meter was working correctly. The Forum have also recorded that as per the meter installed at the petitioner's premises the reading up to November 2012 was 16480. In the next sentence they have recorded that from February 2005 to November 2012 (94 months) total of $16840 - 01 = 16839$ units had been consumed. The Forum held that an excess amount of units was shown as consumed during August and September 2012 on account of accumulated units which were not being reported earlier. Based on this the Forum calculated that the average consumption was 179 units per month. They felt that this was a reasonable consumption and hence they dismissed the complaint. From the above it is clear that the Forum has been recording the number of units incorrectly, at one point mentioning them as 16480 and at another 16840. In fact both the figures are wrong as per the bill ending 30.11.2012. As per this total number of units consumed till that date is shown as 16782.
5. The respondent has informed that while the petitioner has claimed that a connection was given in 2005 originally the connection was given on 04.04.2002 in the name of Bharat Singh Kushwaha and still continues in that name. The respondent has

informed that on a complaint received from the petitioner a check meter had been installed on the premises from 01.12.2012 to 07.12.2012. The results showed that the check meter and the installed meter were recording equally and hence there was nothing wrong with the old meter, however, as the petitioner had alleged that there was jumping in the meter, it was replaced on 07.12.2012.

6. The respondent has also claimed that the meter removed in December 2012 was the personal meter of the petitioner. As proof they have mentioned the letter received from the Test Division that the number on the meter (HDO CONS 2082) shows that it was a personal meter as CONS refers to consumer. However whether it was a personal meter or the department's meter is not very germane to the question to be decided whether there had been jumping in the meter during August and September 2012.
7. The Forum have mentioned that the reading on the meter is from February 2005 and hence the total of 16485 units from 2005 to September 2012 (94 months) averaging 179 units a month is not excessive. The Forum has overlooked the fact that prior to the excessive recording during August and September, the total number of units was only 10128 (92 months) averaging 110 units per month. To state that the meter reader had not been recording correctly, without any proof is erroneous on the part of the Forum. Moreover the Forum paid no attention to the fact that, though the petitioner's premises now comprise of 5 rooms, these were built over a period of time. In fact as per the petitioner's statement the premises comprised of only two rooms up till 2010 when 3 more rooms were added. The petitioner is occupying two rooms and three are on rent. Thus to take that consumption would have been 179 units per month from 2005 is rather farfetched. Hence credence cannot be given to the reasoning of the Forum.
8. While the respondent states that the check meter and installed meter gave the same results, they replaced the earlier meter. The check meter was installed two months after the complaint. In case there had been any jumping as appears to be the case here, the same would not reflect after such a long gap and hence the fact that the petitioner's meter was found recording correctly and gave the same result as the check

meter, does not affect the case. Further the respondent changed the meter even though they found nothing wrong with it. Reasoning given for this was that while there was nothing wrong with the meter, as the petitioner had alleged meter jumping the respondent decided to change the meter. This reasoning does not appear to have much basis.

9. The respondent has not been able to show any proof to account for the jump in consumption during the months of August and September 2012.
10. It is a fact as per the bills issued by the respondent number of units recorded up to 31.07.2012 were 10128. During the months of August-September the reading jumped from 10128 to 16485 (showing a consumption of 6357 units during two months). As per the sealing certificate dated 07.12.2012, reading of the old meter on that date was 16840 i.e. consumption of 355 units in two and half months from 30.09.2012 when reading was shown as 16485.
11. An inspection of the premises of the petitioner was carried out on 15.01.2013 by the Junior Engineer of the respondent. In his report dated 15.01.2013, the JE has mentioned that a total of 6 CFL bulbs, 5 fans and 1 TV were connected and as per the new meter the reading showed consumption of 132 units from 01.12.2012 to 15.01.2013 (46 days). This shows that the new meter had recorded an average of 88 units per month.
12. The respondent in their statement have stated that the increase in number of units during August-September 2012 was not due to cumulative effect but were based on the record of the meter reader contradicting the stand of the Forum which has held that the increase was due to cumulative effect of units not being recorded properly by the meter reader from February 2005. As proof of their claim of increased consumption during August and September 2012, the respondents have given a copy dated 22.10.2013 of the meter binder of the local meter reader Shri Deep Chand Tripathi. This however instead of proving the respondent's case shows otherwise as according to this document the reading on

- 10.05.2012 was 10128

- 07/2012 was 16485
- 21.09.2012 was 16782
- 20.11.2012 it is recorded that the meter has been changed and reading was 117
- 12.01.2013 was 306
- 18.03.2013 was 654
- 20.05.2013 was 1235.
- The above readings are completely contrary to the bills sent which show the following readings
- 31.05.2012 – 9524
- 31.07.2012 – 10128
- 31.09.2012 – 16485

13. From a perusal of the above it seems that the reading taken by the meter reader has been shown in the next bill rather than for the month in which the reading has been taken. Moreover there are numerous cuttings in the entries in the meter binder and dates appear to have been overwritten. Another anomaly is that the meter binder shows the meter changed on 20.11.2012 whereas the respondent has informed that the meter has changed on 07.12.2012. From all the points mentioned above it is difficult to place any reliability on the report of the meter reader. It appears that the records have been manipulated and cannot be depended upon.
14. The last point I would like to touch upon is the number of electrical points being used as per the respondent's own statement (6 CFL bulbs, 5 fans and 1 TV) and the total load of 1 KW. It is not humanly possible to consume 6357 units in two months with 1 KW load and the points as mentioned above even if all of them were used 24 hours every day. As per the highest maximum utilization of 1 KW load @ 24 hours, the maximum consumption per month would be 720 units. The effect of cumulative units being shown during August-September 2012 has been denied by the respondent themselves.
15. From the above it is clear that there was jumping in the petitioner's meter during the period August and September 2012. It is therefore ordered that the respondent may reassess the bill for August and September 2012 on the basis of the average

consumption of the preceding 5 months. The revised bill may be prepared and given to the petitioner within 30 days of this order. Order of the Forum is set aside.

Dated: 28.02.2014

(Renuka Muttoo)
Ombudsman