

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Puja Puri
Malsi Deer Park, Bagriyal Gaon,
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (North)
Uttarakhand Power Corporation Ltd.
18, EC Road, Dehradun, Uttarakhand

Representation No. 16/2015

Order

The petitioner, Smt. Puja Puri has filed this appeal on 21.07.2015 against the order of Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) dated 19.05.2015 in her complaint no. 184/2014 against Uttarakhand Power Corporation Ltd. (hereinafter referred to as respondent). The petitioner has alleged that Forum has given a one sided order and has overlooked the shortcomings and failings of the department and have refused to make any correction or modification in the bill observing that it is the petitioner who has defaulted in payment and made part payment at the end of financial year instead of on a regular basis. In her complaint to the Forum she had alleged that while her connection was released in May 2011 (as per billing history 30.04.2011) and the reading up to January 2012 was 309, in the next bill after 2 months her reading came to 1530 (which is corroborated by the consumer history). It is after this that she has delayed payments as the readings have shown much higher consumption. She has also complained that from 2012 to 2013 whenever she went to deposit the billed amount the accountant Shri Sachin Nanda refused to take the payment and asked her to deposit the total payment of Rs. 5,239.20. She had therefore requested that amount of bill be corrected.

2. The Forum in their order dated 19.05.2015 have observed from the documents submitted by both parties as well as the consumer history that the petitioner has been depositing part payment of her bill only to save herself from disconnection and the LPS has contributed to increase in the amount due. The Forum has therefore observed

that the bill is correct and no changes/corrections are called for. They have ordered accordingly.

3. Aggrieved by the order of the Forum the petitioner filed this appeal before the Ombudsman and requested that since she has been greatly inconvenienced by the excessive and unjustified demands of the respondent, she has alleged that the department has not given her monthly bills despite her repeated requests and has also refused to take part payment whenever she has visited the office. When she asked for a check meter to be installed as she apprehended that the meter was defective, her fees for check meter was deposited on 14.03.2013 but instead of installing check meter, the meter was replaced by a new meter nearly one year later, on 25.02.2014 as the department informed her that the meter had stopped working. While JE and SDO had promised her that when the new meter is installed the old bills will also be taken as per the new meter reading, but this was not done.
4. Respondent have claimed that because petitioner has been depositing only part payment, the outstanding dues have been mounting. In February 2012 only Rs. 933.00 was due from her but the bill up to February 2012 came to Rs. 5,239.00 which could be because of mistake on the part of meter reader or due to accumulated units. For the same reason her bill mounted to Rs. 19,916.00 up to February 2013. The petitioner to save herself from disconnection made part payment of Rs. 5,000.00 on 14.03.2013. Similarly on 12.02.2015 also she deposited Rs. 20,000.00 as part payment. They have also informed that the petitioner non domestic connection has been converted to domestic connection on 10.03.2015 on her request.
5. Having heard both parties and having examined the documents on file it is seen that Rs. 30,350.00 deposited by petitioner, between 03/2013 to 05/2015 have been accounted for and after adjustment of this and NA, NR and IDF bills, the outstanding dues ending 07/2015 as per billing history are Rs. 16,568.00. Further,
 - i. The bills show consumption of 1713 units between 06/2011 and 07/2015. The meter started at a reading of 3 units. Consumption of 1713 units over a period of 50 months with contracted load of 2 KW is justified.
 - ii. The bills, as has been observed by the Forum, are correct and no intervention is called for.

- iii. The respondents have erred in not responding to the repeated complaints and requests of the petitioner even after she had deposited check meter fee and in not replacing a defective meter for as long as 8 months. It is seen that:
- a. The petitioner had on 14.03.2013 deposited Rs. 80.00 for a check meter, but a check meter was not installed. Instead a new meter was installed a year later on 25.02.2014 after the old meter was shown as IDF and defective in June 2013. As per Schedule III of UERC (Standard of Performance) Regulations, 2007 the check meter should have been installed within 30 days of receipt of complaint and defective meter should have been replaced within 15 days of declaring meter defective.
 - b. As per consumer history the meter had been declared defective in June 2013. The defective meter should have been replaced by 15.07.2013 and check meter should have been installed by 13.04.2013 as per provisions of Regulations quoted above.

However since the petitioner did not specifically seek this compensation in her complaint before the Forum no relief is admissible under relevant Regulations. Petition is dismissed. Forum order is upheld.

6. Respondent have been found negligent in not installing check meter for a period of three and half months thereby allowing the meter to become defective in June 2013 resulting in non installation of check meter. As a result grievance of petitioner could not be redressed with the help of check meter. Further the replacement of defective meter was also delayed by eight months. Both these delays, apart from causing serious inconvenience to the consumer, are in violation of the Regulations and the UPCL management are directed to take appropriate action against officers/officials responsible for the delay.

Dated: 20.11.2015

(Vibha Puri Das)
Ombudsman