

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Ram Chandra Mission
Hudethi, Pithoragarh, Uttarakhand

Vs

The Executive Engineer
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.,
Pithoragarh, Uttarakhand.

Representation No. 24/2014

Order

The petitioner approached the office of Ombudsman with a petition dated 11.12.2014 against the order of the Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) dated 16.08.2014 in their complaint against the Uttarakhand Power Corporation Ltd. (hereinafter referred to as respondent) for inflated bill received in October 2013. The petitioner also moved an application on the same day for condonation of delay which was allowed and the case was admitted.

2. The petitioner states that they have a 3 phase 5 KW connection installed on 11.02.2003. Meter no. NE0588 remained installed at their premises till installation of new meter on 11.03.2014. The petitioner claims that till September 2013 the average consumption was 382 units per month. However from October 2013 there was jumping in the meter and hence instead of the normal average consumption of 382 units per month the consumption jumped to 3593 units in October 2013, 10478 units during November/December 2013 and 1480 units during January 2014. Thus the average during these months was approximately 3888 units per month.
3. The petitioner states that they made numerous complaints to the respondent regarding this fact however, the respondent did not take any action. In February 2014 payment of check meter fees was made by the petitioner and thereafter the check meter was installed on 11.03.2014. This check meter was left at the premises of the petitioner and became the new meter. The petitioner states that from the date of installation of

the check meter (11.03.2014) to August 2014 the total reading was 2540 amounting to 423 units per month. The petitioner states that though it was proved during the testing that the old meter was faulty, instead of acknowledging jumping of the meter during the period October 2013 to January 2014 the respondent held it as a case of fast running of meter @ 26% and on the basis of this they revised the bills for last six months. The petitioner then approached the Forum. The petitioner states that the Forum held a hearing on 16.08.2014 regarding which no information was sent to the petitioner and in the absence of the petitioner issued a one sided order in favour of the respondent on the same date. In their order the Forum made reference to the report dated 21.06.2014 submitted by the respondent before them and decided the case on the basis of this report.

4. The petitioner states that it is not a case of fast running of the meter as claimed by the respondent but jumping of the meter and hence they have requested that they may be charged for the period October 2013 to January 2014 (both months inclusive) on the basis of the earlier average (382 units) or the average as per the new meter (423 units).
5. The Forum in their order have dismissed the complaint of the petitioner on the ground that the check meter showed that the meter of the petitioner was running 26% fast. In such a case, the Forum felt that it would not be possible to revise the bills on the basis of previous average consumption. The Forum felt that the relief available under the Uttarakhand Electricity Regulatory Commission (hereinafter referred to as UERC) Regulations i.e. revision of the bill for six months prior to the fault being located has been given whereby the respondent has reduced the due amount by Rs. 20,342.00.
6. The respondent has laid great emphasis on the check meter test which showed that during the period of the test, the meter was running 26% fast. They have also stated that there was a jump in the consumption as there was a sammelan at the ashram during the period under dispute and hence higher consumption was recorded. Besides this the respondent has also claimed that more power had been consumed as there was faulty wiring leading to short circuiting and earth leakage, which had been set right after this period.

7. Their reasoning as to why there was increase in the consumption does not appear to be credible as there is no technical ground to substantiate their claim. Further the respondent has not bothered to explain how there could be a consumption of over 5000 units in a month on a 5 KW connection. Such a huge consumption is impossible even if all the power is drawn 24 hours of each day of the month. The respondent has nowhere mentioned that the petitioner was drawing more than the sanctioned load of 5 KW. The respondent has also given absolutely no explanation as to why it took them so long to address the problem. While the complaint existed from October 2013 the check meter was only installed in March 2014.
8. During the first hearing, the petitioner was questioned regarding the kind of functions held at the Ashram. He informed that ordinarily only 2 persons reside at the Ashram. The Ashram only organizes overnight functions on 3 occasions during the year which last between 1-3 days. These are in February, April and July of each year. During the disputed period there was only one function and that to a day function on 22.12.2013. Besides the above functions there are daily pujas for an hour in the morning (0730 to 0830 hours) and evenings (1600 to 1700 hours).
9. Arguments were heard from both sides. The argument of the respondent in explaining the increase in consumption was not acceptable as it was not backed by any technical principle. Moreover except for the period October 2013 to end January 2014, the consumption has been between 380 to 423 units. It is possible that during the period the check meter was installed the old meter was found running fast but this is not sufficient to explain the quantum increase in consumption and it would appear that besides the meter running fast there may have been jumping during the period under dispute. This fact would not register on the check meter. Unfortunately the respondent did not get any MRI done of the old meter which could have shown deviation if any. In the absence of any credible explanation by the respondent regarding the increase during this disputed period, their arguments cannot be accepted.
10. This does not appear to be a simple matter of the meter running fast and therefore plea of the petitioner is accepted that he may be charged on the average of the consumption either prior to October 2013 or after installation of the new meter. It is ordered that the bill be revised for the period October 2013 to January 2014 on the

average of the consumption of the new meter i.e. 423 units per month and issued within 15 days of this order. The order of the Forum is set aside.

Dated: 17.04.2015

(Renuka Muttoo)
Ombudsman