

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Chandrakanta  
W/o Late Shri Rajkumar,  
47, Sanjay Colony, Patel Nagar  
Dehradun, Uttarakhand

Vs

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

Representation No. 26/2014

### **Order**

The petitioner, Smt. Chandrakanta submitted a petition on 22.12.2014 and a revised petition on 08.01.2015 against the order of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) dated 31.10.2014 (incorrectly mentioned as 25.09.2014 in the petition) in their complaint against the Uttarakhand Power Corporation Ltd. (hereinafter referred to as respondent).

2. In her petition it has been mentioned that the petitioner is an old and ailing lady who approached the Forum with a complaint dated 25.08.2014 when the respondent took no action on her complaints that she was receiving inflated bills and her meter was not working. The Forum issued an order that surcharge included, in the total demand of Rs. 91,263.00, should be reduced and the rest of the amount can be recovered by the respondent. The Forum also ordered that the petitioner should make the payment within 15 days of the order. Aggrieved by the order of the Forum the petitioner approached the Ombudsman.
3. The petitioner further adds that subsequent to the Forum's order the SDO of the area gave a corrected bill of Rs. 54,094.00 which is too large a sum. The petitioner has stated that she would not be able to make this payment. She has requested that this

amount be decreased. It has also been mentioned that on the assurance of the respondent that the bill would be corrected, the petitioner had deposited Rs. 20,000.00 on 02.12.2013, however no effort was made by the respondent to correct her bill. In her prayer the petitioner had requested that the bill amount be reduced and she be allowed to pay the reduced sum in installments.

4. In the complaint before the Forum the petitioner mentioned that due to her meter being defective she made a complaint in the local office of the respondent on 16.01.2013 requesting that a check meter be installed at her premises. The respondent took a payment of Rs. 80.00 for installation of the check meter on 23.01.2013. Despite repeated visits to the respondent's office no action was taken by them on her complaint and instead of installing a check meter a new meter was installed at the premises on 23.07.2013 (the date appears to be incorrect as the sealing certificate mentions removal of old meter and installation of new meter as 21.07.2013). The petitioner further alleges that the new meter also kept giving wrong readings and a complaint was made by her. On 22.11.2013 her supply was disconnected and the meter was removed from her premises. Due to the disconnection she was forced to make a payment of Rs. 20,000.00 in December 2013 on the assurance by the respondent that the bills would be revised. Maintaining that no corrective action was taken by the respondent and instead an inflated bill was sent to her, the petitioner has alleged severe harassment. She further mentions that she was sent a bill for Rs. 66,570.00. The petitioner again visited the respondent's office and informed that she lived in a two room house where there were only tube-lights and CFL bulbs. Her monthly average consumption had always been between 150-250 units and she had been making the payments on this basis. On her complaint the respondent recorded a demand of Rs. 21,000.00 on the bill and asked her to make the payment. The petitioner claims that she was in no position to make this payment and on not receiving any relief from the respondent she approached the Forum with this complaint.

5. As per the Forum's order the respondent informed that the connection was not in the name of petitioner Smt. Chandrakanta but in the name of Shri Raj Kumar. The bill for January was for 2973 units. The petitioner had requested for a check meter to be installed on 16.01.2013. The respondent informed the Forum that in response to the

request of the petitioner to install a check meter, their team had gone to the premises, however, no action for installation of check meter could be taken as the terminal plate was found burnt and it was recommended that the meter be tested in the Lab. The respondent mentions that the meter could not be tested between 02/2013 and 03/2013. However when it was tested it was found ok.

6. Bill for March 2013 for 1600 units (CDF) and for May 2013 for 41118 units for Rs. 1,40,557.00 was sent to the petitioner. On seeing the large reading for May 2013 for 41118 units the meter was treated IDF and meter was replaced on 21.07.2013. At that time reading in the meter was appearing as 23176 and terminal plate was found burnt. The old meter was got checked in Test Lab and was found working correctly. The bill for the period 12.01.2013 to 11.07.2013 was corrected to Rs. 65,945.00. Thereafter bill for the month of 09/2013 for 2800 units (RDF) was issued for a total amount of Rs. 77,352.00 including arrears which was again got corrected for Rs. 74,230.00 against which the petitioner deposited Rs. 20,000.00. The bill up to the month of 09/2014 became Rs. 70,350.00 which was correct. The Forum during hearing on 29.09.2014 passed an interim order to the effect that 25% of the disputed amount be paid by the petitioner. The Forum also asked for a detailed report from the respondent as to action taken by them on the request of the petitioner for installation of a check meter. The respondent informed the Forum during the hearing that the petitioner had not paid 25% of the disputed amount as ordered by the Forum.
7. The Forum in their order dated 31.10.2014 referred to the letter of the SDO dated 25.09.2014 and the sealing certificate dated 06.02.2013 submitted by the respondent. The Forum held that this sealing certificate proved that respondent had taken necessary action on petitioner's request for installing check meter. Due to the correct action of the respondent no compensation is admissible. The Forum have further referred to the Test Lab report which stated that the meter was found working accurately. Based on this the Forum held that the consumption as shown was correct but due to misreporting by the meter reader, the consumption was not being reflected in each bill resulting in a huge amount mounting as arrears and being shown collectively in one bill. They have recommended action against the meter reader and ordered that no LPS be charged due to the fault of the meter reader. Thus the Forum ordered that out of Rs. 91,263.00 the LPS be reduced and a bill for the balance

amount be sent to the petitioner who should make the payment within 15 days of the order.

8. In their statement submitted before the Ombudsman the respondent have stated that the petitioner's statement that the meter was defective was wrong. It has been stated that when the employees went to the petitioner's premises to place the check meter, the terminal plate of the meter was found burnt and hence the check meter could not be placed. Further it is stated that on testing in the Lab the meter was found OK. The respondent has reiterated that the petitioner is not a consumer as the connection exists in the name of Shri Raj Kumar who has not filed any complaint.
9. During hearing the petitioner informed that the connection is from 1988 for 1 KW load. The respondent informed that the meter under dispute was installed in October 2008 and was replaced on 21.07.2013.
10. Brief history of the case. The petitioner has a 1 KW connection at her residence. The connection was in the name of her late husband and has continued in his name even after his demise. The bills and communications by the respondent have been continuing in the name of late Shri Raj Kumar. The respondent has correctly objected that Smt. Chandrakanta not being a consumer cannot file a complaint. However since the complaint was accepted by the Forum and the petitioner has approached against the judgment of the Forum, the petition was allowed. The petitioner is advised to get the connection changed to her or her son's name immediately.
11. As per the information provided, the connection is a very old one. The meter under dispute was installed in October 2008 and was removed and new meter installed on 21.07.2013. As per the sealing certificate dated 21.07.2013 the final reading on the meter was 23176. This certificate has been signed by a representative of the petitioner. However the sealing certificate submitted by the respondent for 06.02.2013, the date the respondent claims they had gone to install the check meter but could not do so, shows the reading on that date as 15055. This sealing certificate has not been got signed from the petitioner. An MRI was only done on 22.07.2013 and according to the meter Test Lab report the meter was found OK during a test done at the Lab on that day.

12. If we take it that the petitioner had used 23176 units between October 2008 and 21.07.2013 (about 57 months) average consumption would be 406 units per month. However by the respondent's own submission the reading on 06.02.2013 was 15055. If we take the average on the basis of 15055 units from October 2008 to February 2013, the average monthly consumption comes to about 295 units per month. The difference between reading on 06.02.2013 and 21.07.2013 is 8121 units which means an average of 1476 units per month during this period. This excessive consumption shown between 06.02.2013 and 21.07.2013 has accounted for doubling the average consumption per month to 406 units from 295 units. Examination of the consumption pattern before February 2013 and after installation of the new meter shows a consumption of approximately 280-295 units per month. (Bill for 09.03.2015 to 05.05.2015, shows present reading as 6105, this averages @ 277 units per month).
13. On a 1 KW connection it would be impossible for the consumer to use so many units in a month. The respondent was questioned whether they could explain this increase during this period but was unable to offer any explanation. The respondent submitted a inspection report dated 29.04.2015 showing the number of appliances installed on the premises and informed that maximum demand of the petitioner has been 1.7 KW and demand at the time of inspection was  $(233.77 \times 1.92 = .448 \text{ KW})$  which is even less than  $\frac{1}{2}$  KW. Even if we take the load as 1.7 KW, the consumption cannot be 1476 units per month which is the average for the  $5\frac{1}{2}$  months between 06.02.2013 and 21.07.2013 on consumption of 8121 units as shown by the respondent.
14. Examination of the bills issued by the respondent showed a number of glaring mistakes, for example though the new meter (no. 30682133) was only installed on 21.07.2013 this meter number has been quoted in the bill issued on 12.01.2013 for the period 09.11.2012 to 12.01.2013 and the bill issued on 11.07.2013 for the period 12.01.2013 to 11.07.2013. Further the bill 12.01.2013 to 11.07.2013 shows the reading as 10730 on 12.01.2013 and the sealing certificate of 06.02.2013 shows the reading as 15055 amounting to consumption of nearly 5000 units in less than a month.
15. Hence keeping in view the above facts and the failure of the respondent to explain the increase, it is difficult to establish as to why there was such an increase during this period. Because of the failure to explain the cause and keeping in mind the average

consumption before and after this period, it is ordered that the bill for the period 06.02.2013 to 21.07.2013 be reassessed at 295 units per month. No LPS will be charged if payment is made within 15 days of the bill being received by the petitioner. Payments made by the petitioner be adjusted against the amount due and extra if any paid be adjusted in future bills. Order of the Forum is set aside.

Dated: 03.06.2015

(Renuka Muttoo)  
Ombudsman