

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt Neelam Kumari  
Ward No. 5  
Opp. Government School  
Audhad Baba Mandir,  
Banjarawala, Dehradun, Uttarakhand

Vs

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

Representation No. 04/2017

### **Order**

Aggrieved by the order dated 27.01.2017 of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) in complaint no. 147/2016 petitioner, Smt. Neelam Kumari has claimed that she has 1 KW nondomestic connection since 2006 for which she has been paying her bills regularly up to June 2016. In June 2016 her mechanical meter was removed and an electronic meter installed in its place, no sealing certificate was given. Also no bills were received from July to September. She went to the electricity office in October 2016 where she was handed a bill of Rs. 1,22,000.00 which was shocking and they filed a written complaint against this unauthorized bill on 16.11.2016. She was told to meet the JE (Meter) at 18, EC Road where she was informed that the meter had been sent to the store in August 2016. Petitioner alleges that it is not known where the meter was used from June 2016 to August 2016. She has further complained that while different meter readers would have taken reading over 11 years period, it is unlikely that all of them were filing incorrect readings over this period. The Forum has disregarded her evidence and relied on statement of the department, while giving their one sided judgment. She has therefore requested that the bill for Rs. 1,22,000.00 be cancelled and the money paid by her refunded to her.

2. Forum in their order dated 27.01.2017 have dwelt on the average consumption in the new meter and also caused inspection to be done of the premises connected load and

maximum demand which was found to be 197 units, 885 watts and 1.38 KW respectively. The average consumption through the old meter removed in June 2016 was found to be 20 units which the Forum held to be unlikely and therefore concurred with the views of opposite parties that successive meter readers had erred in considering the meter to be a 4 digit meter while it was indeed a 5 digit meter. Forum have therefore come to the conclusion that the less reading was the fault of the successive meter readers and directed appropriate action against employees who have worked as meter readers and who were responsible for changing the meter. Forum directed revision of bills of petitioner from 04.10.2006 to 10.06.2016 on monthly consumption of 197 units and as per prevalent tariff while adjusting amounts paid by the petitioner and without claiming any surcharge.

3. Respondent in their written statement before Ombudsman have dismissed the claim made by the petitioner in her representation and have claimed that Forum have considered all the facts about recording the reading by the meter reader. The fact that average of 20 units per month is the consumption for which bills have been raised whereas on the inspection of the meter on 10.06.2016 the average units for 116 months comes to 197 units which respondents claim is the normal consumption. Further they have also indicated that the new meter installed on 10.06.2016 has shown a meter reading of 1315 units up to 16.01.2017 which gives an average monthly consumption of 179 units per month. The respondent have therefore said that petitioner is liable to pay for energy consumed and average of 197 units as reflected by a reading of old meter on inspection on 10.06.2016 is closer to the average of 179 units of the new meter. They have therefore requested that the petition is liable to be dismissed and the Forum order is just and proper.
4. The issue for decision is clearly whether the old meter no. ED3624 was a 4 digit or 5 digit meter and consequently whether the final reading recorded on 10.06.2016 of 23231 is correct. Bills had been raised up to 24.05.2016 (reading of 2307) which means average consumption of only 20 units per month for the 116 months that the meter was installed. This low consumption is not borne out by evidence lead during arguments. Petitioner herself has conceded that the shop remains open for 10-12 hours per day and for some time now residential quarter is also attached to the shop. An average consumption of 197 units per month (which is what a final reading of 23231 indicates) does seem reasonable. The sealing certificate given by the respondent and

the report of the AE (Meter) clearly indicates that the final reading obtained in the meter at the time of its removal on 10.06.2016 was 23231. Photo copy of the meter available on record clearly shows that it was a 5 digit meter.

5. Forum order upholding the total consumption of 23231 units from 2006 to 10.06.2016 giving average consumption of 197 units per month is upheld. However Forum caused revision of bill as per prevalent tariff rate schedule RTS-2.
6. Since the contracted load is 1KW and average consumption per month is less than 200 units per month, the billing should be done on rate schedule RTS-1 instead of RTS-2. Provisions of RTS-1 in all the appropriate tariffs read as follows:  
  
*“This rate schedule shall also be applicable to consumers having contracted load up to 2 KW as also consumption up to 200 kWh/month and who are using some portion of the premises mentioned above for non-domestic purposes.”*
7. The respondent has submitted a calculation statement dated 30.03.2017 as per aforesaid provisions of the tariff and have mentioned that as a portion of the premises is being used for residential purpose, the aforesaid provision of the tariff is applicable in the case of the petitioner.
8. The respondents are directed to issue a revised consolidated bill from the date of connection till 20.03.2017 as per calculations submitted by them on 30.03.2017 after allowing adjustments for the payments made by the petitioner during the said period and without levy of any late payment surcharge. The petitioner is directed to make payment of such a consolidated bill within 15 days of its receipt. As already directed by the Forum, action against the meter reader and the staff who replaced the meter on 10.06.2016 does not appear to have been taken so far. Respondent are directed to take appropriate action under intimation to this office within 15 days of this order.

Dated: 31.03.2017

(Vibha Puri Das)  
Ombudsman