

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Sandeep Industries  
Khatema Road, Sitarganj  
Distt. Udham Singh Nagar, Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division,  
Uttarakhand Power Corporation Ltd.,  
Sitarganj, Distt. Udham Singh Nagar, Uttarakhand

Representation No. 14/2017

### **Order**

The petitioner, M/s Sandeep Industries, Khatima Road, Sitarganj, Distt. Udham Singh Nagar has filed this representation against the order dated 09.02.2017 of Consumer Grievance Redressal Forum, Kumaon zone (hereinafter referred to as Forum) in complaint no. 148/2016.

2. Petitioner's case is that while his meter is installed on a electric pole alongside the road the meter seal has been found intact and no responsible person from his staff was present when the meter was checked and when it was supposedly found running slow that checking was also not done in his presence; his basic contention is that since his recorded consumption in the year 2015-16 of 68220 units is more than what he consumed in 2014-15 being 50670 units, while he has hulled less paddy, it is not possible that the meter is slow, in fact it points to the meter being fast. He has not given any further grounds for appeal against the Forum order and has only requested that the penalty imposed on him may be waived and the order of the Forum reviewed.
3. Forum in their order have examined the evidence available on record and have come to the conclusion that based on the cumulative tamper status report and YMPL checking report and the fact that once the burnt wire of the B phase CT which caused the petitioner's meter to record less by 32.38%, was replaced, the meter started recording correctly and therefore the Forum have held that the assessment by the respondent is correct and have dismissed the petition.

4. The respondent in their written statement have refuted the petitioner's claim that he or his representative were not present at the time of inspection and this is borne out by the signatures of the representative of petitioner on the checking report. Respondent have further stated that the report of the Electricity Testing Laboratory, Sitarganj dated 01.04.2016 has stated categorically that accuracy test results during online testing were not found within permissible limit as current in B phase CT was found zero and metering error was found -32.38% in the offline testing of B phase. CT wire was also found burnt which was set right by replacing wire. Accordingly assessment as per sub regulation 3.1.3 (6) of Uttarakhand Electricity Regulatory Commission (The Electricity Supply Code) Regulation, 2007, for 6 months was done and petitioner has already deposited the same. Respondent have therefore requested that petitioner's appeal be dismissed as the same is baseless
  
5. Arguments have been heard on behalf of both the parties and the record available on file has been carefully examined. While petitioner has claimed relief on the basis of his supposed low consumption on the basis of low hulling, as observed by the Forum the assessment on the basis of UERC Regulation 3.1.3 (6) is based on the inspection report of the Electricity Test Lab, Sitarganj and there is no basis for disregarding the same. Forum have also highlighted that M/s YMPL testing had found the meter running 32.38% slow and the secondary wire of B Phase CT burnt, and the meter started recording correctly the moment the wire was replaced. As such, it has already been established in M/s YMPL offline testing dated 29.03.2016 that accuracy test results of the meter and CTs were found within permissible limits so meter was working correctly, but only because of the B phase wire having been burnt, it was recording 32.38% less. Petitioner's representative was present at the time of testing as is evident by his signature on the inspection report. The petitioner has requested for waiver of the penalty imposed on him. It is clarified that in fact no penalty has been imposed on him by the respondent. Actually they have made demand of Rs. 1,20,278.00 to recover the cost of energy for last 6 months (from 09/2015 to 02/2016) left to be billed due to meter running slow by 32.38% and the assessment for 6 months is consistent with provisions of UERC Regulations. As such it is found that there is no basis for interfering with the order of Forum. Forum order is therefore upheld. Petition is dismissed. No order to costs.

Dated: 23.08.2017

(Vibha Puri Das)  
Ombudsman