

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Nagina
S/o Late Shri Balla
Village Nathukheri, P.O. Manglaur
Tehsil Roorkee, Distt. Haridwar
Uttarakhand

Vs

Executive Engineer,
Electricity Distribution Division (Rural),
Uttarakhand Power Corporation Ltd.
Civil Lines, Roorkee,
Distt. Haridwar, Uttarakhand

Representation No. 23/2018

Order

Date: 18.10.2018

The petitioner Shri Nagina S/o Late Shri Bala aggrieved with the order dated 06.06.2018 of the Consumer Grievance Redressal Forum, Haridwar zone (hereinafter referred to as Forum) has filed this appeal before the Ombudsman.

2. Petitioner claims that while he has not been given any bill he has been depositing his bills regularly. He has submitted copies of the bills against which he had made payments and has alleged that his crop has been destroyed and he has faced extreme mental harassment for which he should be compensated by imposing a fine of at least 1.5 lakhs and waive the rest of the bill due against him.
3. Forum in their order dated 06.06.2018 held that respondent issued NR and IDF bills to the petitioner continuously for 6 years. In the month of December 2017 petitioner's IDF meter was shown to have a reading of 185313 and therefore his consumption over a 6 month period (since billing is apparently done at six monthly intervals) between June 2017 and December 2017 showed an unprecedented rise and a consumption of 55920 (The correct figure as per billing history is 55928) units. Respondent were unable to present sealing report of the meter presently installed. Further, in the letter dated 07.05.2018, the SDO informed the Forum that as per MRI

of the meter the reading of the meter came to 190047 (presumably on or before 07.05.2018). Forum have held that since the petitioner has been regularly paying his bills therefore no LPS is chargeable to him and instead of the revised bill of Rs. 100967.81, petitioner is liable to pay Rs. 75,138.00 up to the present reading of 190047. Accordingly Forum partially allowed the complaint and directed the OP to serve a bill of Rs. 75,138.00 on the petitioner.

4. Respondent, in their written statement, have stated that as per the oral directions of the Forum the bills for the period November 2013 to April 2018 have been revised and a copy of the billing statement enclosed. Further, they have stated that as per the order of the Forum late payment surcharge (LPS) has been removed and a bill of Rs. 75,138.00 has been sent to the petitioner. They also enclosed a copy of bill ledger along with their written statement.
5. Parties have been heard and record available has been perused. Since it was not clear how meter readings were available for a meter declared to be IDF, respondent were asked to confirm the basis for IDF billing and the calculation of metered units of 55928. It is evident that while the meter has been in various bills been described as NA/NR and IDF and as per regulations no revision of bill for an IDF meter is allowed, this meter seems to be a continuously functioning meter which is recording and showing consumption, as is seen in the billing history. The bill of 12/2017 shows reading of 185313; as per SDO's report reading on 07.05.2018 or earlier is 190047; and reading in the bill of 06/2018 is 190781 (as per billing history). Again, as per billing history, the meter has been shown IDF from the month of 12/2013 at reading 129385 and hence billing from 12/2013 till 06/2017 has been done on IDF and charged at MCG.
6. It is clear therefore that the meter is running, there is no case to refer to it as IDF from 12/2013 onwards and therefore billing as per metered units recorded in the meter is justified. Forum have correctly held LPS to be not payable and respondent have accordingly deleted the LPS charged from the bills served on the petitioner. There seems no need to interfere further in the process of billing by the respondent or in the order of the Forum. Forum order is therefore upheld. Petitioner has requested for compensation for damage to his crop and for the mental and financial tension caused

to him. While it is indeed unfortunate that a regularly paying consumer should be put to avoidable hardship of sudden spurt in billing and having to approach the grievance redressal mechanism for something that should have been his legitimate due as part of regular billing, no such provisions are available to allow such compensation under relevant Regulations.

7. It has been revealed from examination of the records that the meter reader, JE and the billing staff showed utter negligence in performance of their duties, for 4 years, by misreporting meter status as IDF from 12/2013 to 06/2017 continuously. As per later checking and MRI reports it was established that the meter was actually in working order during the said period. Such staff needs be identified and penalized appropriately even by way of recovery from their salary, for such amount, as may be decided by the competent authority of the respondent.

Dated: 18.10.2018

(Vibha Puri Das)
Ombudsman