

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Saini Plastic  
Khasra No. 403, Village Ibbrahimpur,  
Jwalapur, Haridwar  
Uttarakhand

Vs

Executive Engineer,  
Electricity Distribution Division,  
Uttarakhand Power Corporation Ltd.  
Jwalapur, Haridwar, Uttarakhand

Representation No. 30/2018

### Order

Date: 18.10.2018

The petitioner M/s Saini Plastics represented by Shri Ravindra Saini aggrieved with the order dated 27.07.2018 of the Consumer Grievance Redressal Forum, Haridwar zone (hereinafter referred to as Forum) has filed this appeal before the Ombudsman.

2. Petitioner maintains that he had approached the Forum with 2 grievances namely a) regarding TOD reading and b) surcharge (meaning assessment for slow running of meter) of Rs. 5,89,649.00. While petitioner is satisfied with the order of the Forum in respect to TOD reading, his grievance in respect of assessment of Rs. 5,89,649.00 continues because of which he has approached the Ombudsman. Petitioner is of the opinion that while Forum have allowed assessment for slow running of meter for 6 months, if the department had conducted MRI every month, the mistake could have been ascertained earlier and he would not have been required to pay assessment for 6 months. The negligence of the department should not result in charging him for 6 months whereas he should not have been made to pay more than one month surcharge. Accordingly petitioner has requested for necessary judicious action
3. Forum in their order dated 27.07.2018, have found a wrong attribution of billing for peak hours and non peak hours, because of which a sum of Rs. 2,04,266.00 has been recovered in excess from the petitioner. Forum during the course of hearing directed

OP to make corrections in the TOD billing and in their order directed that excess recovered amount be adjusted in the next bill. Regarding the assessment for slow running of meter Forum observed that OP has established a check meter at the premises of the petitioner on 20.11.2017 and in accordance with the reading of the check meter the assessment of Rs. 5,89,649.00 is both correct and as per relevant Regulations. Petitioner is liable to pay the same.

3. Respondent in their written statement dated 14.09.2018 have stated that check meter was installed at the petitioner's premises on 20.11.2017 and finalized on 18.12.2017. The main meter was found 38% slow according to the check meter and in accordance with sub regulation 3.1.3 (6) of UERC (The Electricity Supply Code) Regulations, 2007 an assessment of Rs. 5,89,649.00 was made.
4. Both parties have been heard and record available has been perused. In enquiring about the authorized signatory for the petitioner firm it was brought to notice of Ombudsman by the petitioner, duly supported by documents, that petitioner firm was set up as per the partnership deed dated 04.04.2013 between Shri Shahnawaz S/o Shri Shamim Ahmed and Shri Ravindra Kumar Saini S/o Shri Yashpal Saini. While the partnership deed has been retired on 31.03.2015, electricity bill dated 03.04.2018 of connection no. 23874 has still been issued in the name of Shri Shahnawaz Qureshi S/o Shri Shamim and the same name of the connection holder still exists in all the other documents of the respondent as are available on file. As mentioned in the sealing certificate dated 20.11.2017 the check meter was installed after site inspection of the premises. It has not been specifically mentioned when if at all the department suspected slow running of the meter leading them to install a check meter. However the tamper report submitted with the WS does indicate intermittent voltage missing and restoration thereof in one phase during the period 23.08.2017 to 18.12.2017. The check meter was finalized on 18.12.2017. The results show that the main meter was running slow by 38% with respect to the check meter. The respondent accordingly raised assessment bill amounting to Rs. 5,89,649.00 for six months in accordance with sub regulation 3.1.3 (6) of Supply Code Regulations, 2007. The petitioner's claim that since the MRI is being done every month, the assessment should be done only for one month and not for six months, is not sustainable, because the MRI doesn't show the fast or slow running of the meter, it is ascertained only through

study by installing a check meter. Forum order upholding assessment of Rs. 5,89,649.00 raised by the respondent on account of slow running of meter by 38% as per check meter report is consistent with the relevant regulation and is therefore upheld. Petition is dismissed with no costs.

Dated: 18.10.2018

(Vibha Puri Das)  
Ombudsman