

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Sahista  
W/o Shri Sakur Ali  
Masjid wali gali,  
169, Ajabpur Kalan,  
Dehradun, Uttarakhand

Vs

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

Representation No. 07/2018

### **Order**

Smt. Saishita W/o Shri Sakur Ali (the consumer) aggrieved by the order dated 18.01.2018 of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) in compliant no. 154/2017 has filed this petition with a request to set aside the order of the Forum and issue directions for revised and appropriate bill. The case in brief is that the petitioner has found her bills against connection no. CD27152049949 in the name of her husband Shri Sakur Ali and meter no. 562940, to be excessive despite no theft or tampering having been found in the checking. Petitioner has been regularly paying her bills but found it difficult to pay these excessive bills. However, the Test lab report generated on 07.03.2017 found the meter not tampered or otherwise manipulated but 82.47% slow. This is the same as the report of M/s YMPL as per their inspection dated 04.03.2017, where also they have noted that the meter was found 82.47% slow. A load survey dated 04.03.2017 has been submitted which shows connected load 1.15 KW. It is therefore only out of spite that where there has been no tampering with the meter and the meter itself is working alright, that the meter been shown to record 82.47% slow. Petitioner has also highlighted that she being a consumer of only 1 KW has escaped the knowledge of the Forum. Petitioner is aggrieved that without adequate proof Forum have passed orders on presumptions.

2. Forum in their order dated 18.01.2018, after considering the facts of the case and the documents submitted before them, have concluded that based on YMPL report as well as departmental Test lab report wherein the meter has been found running 82.47% slow, it would be appropriate to recover the charges for last 6 months for the energy that could not be billed due to slow running of meter in accordance with sub regulation 3.1 (6) of UERC (The Electricity Supply Code) Regulations, 2007. The respondent have submitted a revised bill for additional 12241 units for a period of 6 months from 05.09.2016 to 04.03.2017 as directed by the Forum. The Forum have therefore disposed off the complaint.
3. The respondent in their undated written statement before the Ombudsman (available on page 35-36) have submitted that there is a 1 KW connection no. CD/2/7152/049947 existing in the name of the husband of the petitioner Smt. Sahista, Shri Sakur Ali. The checking of the aforesaid connection was done by M/s YMPL on 04.03.2017 wherein the existing meter of the petitioner was found running slow by 82.40%. In the checking by the respondent/YMPL on 04.03.2017 vide checking report no. 1621 the total connected load at the premises of the petitioner was found 1.15 KW. The meter was sealed on 04.03.2017 at site and was brought to test lab, Dehradun where it was checked in the test lab on 07.03.2017. While no tampering has been noticed but the meter, was found running slow by 82.47%. On the basis of the checking reports, an assessment of Rs. 66,051 was made on 28.04.2017 and added in the bill. Being dissatisfied with the assessment, the petitioner had requested either to withdraw or to reduce the assessment. The AE (Meter) was requested to submit the detailed technical report (MRI) of the meter. The AE (meter) reported that since at the time of the testing of the meter in the test lab, the meter was opened and broken, so it is not possible to do MRI, so the petitioner was informed that it was not possible to revise the assessment. Whereafter the petitioner filed a complaint before the Forum. The Forum in order to decide the case asked for the MRI of the meter and it was informed that it was not possible to do MRI of the meter for the reasons already explained.
4. Forum after perusal of the records and documents found that the meter was running slow as per records but ordered to revise the bill only for 180 days in accordance with relevant regulations of Supply Code 2007. In compliance of Forum orders a revised

bill for 180 days for additional 12241 units was issued. The respondent have also submitted the billing history along with their written statement.

5. The records and documents available on file have been perused and arguments from both parties have been heard. It is observed that while no tampering with the Meter was found in the checking reports, it was found running slow by 82.47%. As per checking by the department the connected load of the petitioner was also found at 1.15KW against sanctioned load of 1 KW. During the period 05.09.2016 to 04.03.2017 for which assessment of additional 12241 units in the revised bill has been raised, bills for 2602 units had already been issued during the aforesaid period, as such total billed units works out to 14843 KWH. This gives average monthly consumption of 2474 units per month. During the checking respondent have ascertained the connected load of the petitioner which has been found to be 1.15 KW as available on record. At this connected load, consumption of 2474 units per month gives a load factor of 299%. This is impossible as the highest maximum consumption in a month on 1.15 KW load at 100% load factor can be only 828 units. Obviously there is something wrong in the assessment which cannot therefore be upheld. Despite additional opportunities given to the respondent to indicate credible reason for this, respondent have only quoted the capacity of meter of recording up to maximum 5.9 KW load and given a calculation that at this connected load of 5.9 KW consumption for 180 days, (8 hours per day) would work out to 8496 units. The consumer who has been found with connected load of 1.15 KW in the respondent's checking, had already been served with a bill of 2602 units during the period of last six months from 05.09.2016-04.03.2017 has been assessed for additional 12241 units, totaling to 14843 units for 180 days which is not possible, neither theoretically nor practically. Forum order whereby the assessment of 12241 units has been upheld is therefore set aside. Petition is allowed. Respondent are directed to withdraw the revised assessment bill for 180 days from 05.09.2016 to 04.03.2017 for 12441 units.
6. It is for respondent to check their lab protocol where a meter which does not have any tampering, can still run 82% slow and be referred as a 'meter'.

Dated: 23.03.2018

(Vibha Puri Das)  
Ombudsman