

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Uma Sisodia  
III, Mayur Vihar,  
Sahastradhara Road,  
Dehradun, Uttarakhand

Vs

Executive Engineer,  
Electricity Distribution Division,  
Uttarakhand Power Corporation Ltd.  
Raipur, Dehradun, Uttarakhand

Representation No. 25/2018

### Order

Date: 10.12.2018

The petitioner, Smt. Uma Sisodia aggrieved with the order dated 29.06.2018 of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) had complained that while residence Lane no. 4 D, Aman Vihar Sahastradhara Road, Dehradun had remained locked between September 2015 and March 2017 their meter was changed twice while no bill had been received by them. In this period, the electricity connection was also disconnected without their knowledge. When they contacted SDO IT park, they were informed that they had a big outstanding bill. However, when the SDO referred to the computer system he found that no bill had been generated for many months and a changed meter was also visible in the record. As per the advice of the SDO, petitioner deposited Rs. 10,144.00 on the assurance that it would be adjusted against subsequent bills. However, again a bill of Rs. 62,000.00 was intimated and connection again disconnected. When they contacted Executive Engineer, they were informed that they should deposit Rs. 20,000.00 and the same would be adjusted against future bills. However, since no progress was achieved in this direction, petitioner approached Forum but they are still not satisfied with the order of the Forum and have therefore approached the Ombudsman.

2. Forum, in their order dated 29.06.2018, have observed that as per consumer history, while IDF bills have been issued between 24.06.2016 to 08.08.2017 @ 933 units per month, bills should have been issued @ 705 units per month on the basis of the 3 billing cycles in which actual consumption of 4465 units in a period of 6 months 10 days has been recorded. Accordingly, Forum directed that the IDF bills of the consumer for the period 24.06.2016 (Forum have inadvertently perhaps mentioned 24.02.2016 at two places in their order and analysis but the correct date is 24.06.2016 as is borne out by the consumer history) to 08.08.2017 may be revised @ 705 units per month and no LPS may be charged for this period. Forum have further directed that from 08.08.2017 onwards bills may be issued on the basis of metered units as per the new meter.
3. Respondent, in their written statement have contested the petitioner's claim that the house remained locked between 2015 and 2017. While attempting to correct a mistake committed before the Forum, respondent have again erroneously mentioned dates of installation of meter as 02.07.2016 while the correct date of installation of meter as per billing history as also confirmed by the respondent vide letter dated 04.12.2018 is 01.08.2014 at the time of release of connection. As the reply submitted by the respondent in their written statement was confusing and ambiguous, they were asked to give a clarification which was submitted by them vide letter dated 04.12.2018 wherein it was clarified that
  - i) the connection no. 9711314404040 was released to the petitioner on 01.08.2014 by installing meter no. 40081801. Bills w.e.f. release of connection till the month of 02/2016 were regularly issued on metered consumption (which is corroborated by the billing history annexed with the aforesaid letter).
  - ii) After the issue of bill dated 24.02.2016, an IDF bill was issued for the month of 06/2016 24.06.2016 based on the average of last 3 billing cycles, which was duly paid by the petitioner and which is duly reflected in the billing history.
  - iii) After issue of bill for the month of 06/2016 a bill was issued for the month of 08/2017 i.e. no bills were issued in the intervening period from 06/2016 to 08/2017. Respondent have submitted that the billing for the said period was not

stopped under any order by any authority but due to carelessness of the meter reader whose explanation was called for but the meter reader has left the job.

- iv) Bill dated 30.08.2017 for 06/2016 to 08/2017 was issued for 13246 units for Rs. 62,348.00.
  - v) The installed meter at the premises was replaced on 02.07.2016 on the basis of meter being IDF. Again the meter installed on 02.07.2016 was replaced on 08.08.2017 being reported as IDF. In the sealing certificate the reading in the meter no. 61955527 installed on 02.07.2016 and replaced on 08.08.2017 was 1460 as per sealing certificate, which has been confirmed by the AE (meter). Therefore, as per this report, the bill for the period 06/2016 to 08.08.2017 for 13246 units has been proposed to be revised to 1459 units, the actual recorded consumption by the meter from 02.07.2016 to 08.08.2017 and as such the amount payable by the petitioner as per this proposed bill shall be Rs. 6,179.60 and adding LPS Rs. 2,166.40 the total dues for this period shall be Rs. 8,356.00. As per billing history the outstanding dues ending 10/2018 are Rs. 54,899.00 and after the proposed revision Rs. 46,543.00 ( $8356 - 54899 = -46543.00$ ) shall be reflected as negative balance in the account of the petitioner.
4. In the calculations submitted by the respondent vide letter dated 04.12.2018 they have proposed revision of the bills from 24.06.2016 to 06.10.2018 and have accordingly worked out the status of dues.
5. A perusal of the records as well as Forum order reveals that the bills from 10/2014 to 02/2016 have been issued as per metered consumption recorded by the installed meter which was working correctly till then. Bill from 02/2016 to 06/2016 (till 24.06.2016) were issued as IDF thereafter a bill from 06/2016 to 08/2017 for a period of about 14 months was generated by the system as IDF @ 933 units per month for a total consumption of 13246 units amounting to Rs. 62,348.00. The meter was replaced on 08.08.2017 and from 10.08.2017 to 10/18 (up to which the billing history has been submitted) all bills have been issued as per metered consumption. While, the petitioner in her petition has submitted that the premises was locked from September 2015 to March 2017 no documentary evidence in support of this statement has been submitted. Further, recorded metered consumption is available for part of this period.

Forum have observed that the meter installed on 02.07.2016 remained defective till its replacement on 08.08.2017. They have also found that system generated IDF bill from 24.06.2016 to 08/2017 @ 933 units per month is on higher side and the average monthly consumption for the previous 3 billing cycles is 705 units per month. They have accordingly directed that the bills for this period be revised @ 705 units per month and billing after 08/2017 need not be disturbed as it has been done on metered consumption. In their clarification vide letter dated 04.12.2018, respondent have made it clear that the meter installed on 02.07.2016 and which remained installed at the premises till 08.08.2017 was in fact not defective but was working and the consumption recorded by this meter from 02.07.2016 to 08.08.2017 was 1459 units only. Their proposal for revision of bills for the period 24.06.2016 to 10/2018 cannot be accepted in toto, however, the bills for the period 24.06.2016 to 08.08.2017 do need to be revised. Of this period the meter was defective from 24.06.2016 to 02.07.2016 and from 02.07.2016 to 08.08.2017 the meter was in working order. On the basis of average per day consumption of 25 units per day as given by the respondent in the calculations referred to above, the consumption from 24.06.2016 to 02.07.2016 comes to be 200 units. Consumption from 02.07.2016 to 08.08.2017 of 1459 units is as per metered consumption. The total units chargeable for the period 24.06.2016 to 08.08.2017 therefore comes to 1659 units (200+1459). It would therefore be logical and justified to revise the bill for the period 24.06.2016 to 08.08.2017 for 1659 units on average monthly consumption basis at appropriate tariff without LPS.

6. The respondent are accordingly directed to withdraw the bill dated 30.08.2017 for the period 24.06.2016 to 08.08.2017, generated by the system for 13246 units, amounting to Rs. 62,348.00 along with any LPS levied on the amount of this bill. They are also directed to issue a revised bill for this period i.e. 24.06.2016 to 08.08.2017 for 1659 units on average monthly consumption basis at appropriate tariff without LPS. The consumer's account may also be got corrected accordingly. Billing after 08.08.2017 shall continue as per metered consumption. No other relief is admissible. Forum order having being passed on different set of facts brought before them, is set aside. Petition is partly allowed.

Dated: 10.12.2018

(Vibha Puri Das)  
Ombudsman

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