

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Pradeep Saini
S/o Shri Sahab Singh Saini
Dharawali, Gaon, Mohobewala,
Dehradun, Uttarakhand

Vs

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

Representation No. 56/2019

Order

Date: - 13.12.2019

Shri Pradeep Saini S/o Sahab Singh Saini, Mohobewala, Dehradun has filed this petition being aggrieved with Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) order dated 14.10.2019 in his complaint no. 50/2019 dated 31.08.2019 against Uttarakhand Power Corporation Ltd. through its Executive Engineer, Electricity Distribution Division (south), Dehradun (hereinafter referred to as respondent) for correction of his bills.

2. The petitioner has submitted that he is a consumer of UPCL for domestic connection no. SD 25534145998 for 1 KW load and filed a complaint before Forum against excessive bill and defect in meter. The Forum decided his complaint on 14.10.2019 and mentioned that reading in the meter was 8032 and have dismissed the complaint.
3. On his complaint to SDO regarding defect in meter the JE under the instructions of SDO visited the premises on 04.05.2019 and reported that reading in the meter was 14172 and MDI was 7.220 KW from which it is clear that the meter became IDF at a reading 14172. The Test Division also recorded this reading at the time of replacement of meter. The respondent issued a bill at the reading 14172 on 04.05.2019 itself.

4. Based on his online complaint dated 02.04.2019 the meter was replaced on 15.05.2019. The test division verified the reading 14172 and the same was advised to the billing system so the adjustment was accordingly made by the respondent on 04.05.2019.
5. The Forum relying on respondent's submissions have dismissed his complaint. A bill amounting to Rs. 8,742.00 was given to him in the month of January 2019 which was duly paid on 17.01.2019 leaving no outstanding dues but received a bill of Rs. 24,118.00 in February 2019 which is wrong. He has stated that online complaint number 42604173322 was made for checking of the meter but it was not checked but was replaced (As no documentary evidence has been adduced by the petitioner his claim that he had applied for check meter cannot sustain). A complaint regarding defect in the meter was lodged with the department in 2019. The meter was changed on 15.05.2019. In the sealing certificate it is mentioned that reading was not clear. He has requested that the bill of Rs. 24118.00 be deleted. In case however the Ombudsman feels that action of the department is justified than it is requested that bills be corrected as per past and present meter readings and facility of payment in installments be also granted.
6. After perusal of records and hearing both parties the Forum observed that meter reading on 09.05.2018 was 8032 on consumer's complaint the JE visited the premises and reported that meter was working, present reading was found 14172 and MD 7.22 KW. Hence the meter became defective at a reading 14172, the same was also established by test division while the meter was replaced on 15.05.2019 and hence they have concluded that in view of the facts of the case no relief was possible and hence dismissed the complaint.
7. The respondent, Executive Engineer has submitted written statement vide letter no. 2534 dated 20.11.2019. He has submitted that 1 KW domestic connection SD2/5534/145998 was released to the petitioner on 26.05.2011. Bills on metered units were issued till 05/2018 whereafter bills for the month of 07/2018 was issued on NA and that for 09/2018, 11/2018 and 01/2019 were issued on IDF. Subsequently these bills (07/2018 to 01/2019) were revised on metered units and sent to the consumer. On his application dated 30.04.2019 the JE was deputed for checking of the meter. The JE accordingly submitted his report dated 04.05.2019 reporting that meter was

working at present reading 14172 and MD 7.22 KW. Accordingly bill based on verified meter reading was sent on 04.05.2019.

8. Regarding his online complaint dated 26.04.2017 the respondent has submitted that the meter was not replaced and the same status was also informed to him under RTI. The meter was replaced on 15.05.2019 on consumer's online complaint dated 02.04.2019 when meter reading was found 14172, bills from 07/2019 to 11/2019 have been issued on metered units recorded by the new meter. He has also submitted that all bills have been issued on actual meter readings and there is no error or mistake in these bills. He has substantiated his submissions with copy of bills right from 09.05.2018 to 15.11.2019 and billing history from 10/2011 to 11/2019. The up to date outstanding dues ending 11/2019 as per bill as also as per billing history are Rs. 33,438.00 after adjustment of all the payments made by the petitioner.
9. The petitioner has submitted his rejoinder on 25.11.2019, no new points has been put up in the rejoinder but mere repetitions and reiterations of the contents of his petition. He has however submitted a copy of section 3 notice dated 21.11.2019 issued by the respondent for a demand of Rs. 33,463.00 which includes arrears Rs. 33,438.00 up to 11/2019 and notice charges Rs. 35.00.
10. All the records/documents available on file have been perused and arguments from both the parties have been heard on the prescheduled date 11.12.2019. It has been found that 1 KW domestic connection no. SD25534145998 was released to the petitioner on 26.05.2011 when meter number G258091 was installed. As per billing history this meter remained installed at consumer's premises till 15.05.2019 when it was replaced by another meter number 258091. The old meter recorded a total of 14172 units from 26.05.2011 to 15.05.2019 i.e. over a period of 8 years and during this period the average monthly recorded consumption has been 148 units per month. After installation of new meter on 15.05.2019 it recorded 856 units till 15.11.2019 as per billing history and the latest bill for the period 14.09.2019 to 15.11.2019 and hence an average consumption of 143 units per month. The average monthly consumption recorded by the old meter as well as the new meter are almost of the same order being 148 units per month and 143 units per month which indicates that both the meters were working correctly and the average consumption appears to be genuine for a domestic connection for 1 KW. Since the bills from release of

connection dated 26.05.2011 till 05.2018 were issued on metered units of 8032 and bills for 07/2018, 09/2018, 11/2018 and 01/2019 were issued on NA/IDF but subsequent checking and verification of readings establishes that till 04.05.2019 the meter was working and obtained a reading of 14172 and these bills were also revised on actual meter reading. In fact these NA/IDF bills were issued due to misreporting of the meter status by the meter reader for which action against him should have been taken by the respondent authority. Bills from 07/2019 to 11/2019 have also been issued on recorded consumption by the new meter installed on 15.05.2019 and it is therefore clear that all bills right from date of connection till 11/2019 have duly been issued on metered consumption which, as mentioned above appears to be genuinely correct consumption for a domestic connection of 1 KW. As the petitioner is habitual of making part payment and as he himself averred in arguments that he uses to make the part payment once in six months, the dues against him have mounted to Rs. 33,438.00 till 11/2019 and these dues are not due to any mistake/error in the bills but due to nonpayment of dues by him timely. As such no relief is admissible to him and Forum order need not be interfered with, the same is upheld. Petition is dismissed.

7. The respondent are at liberty to realize their legitimate dues through the means available to them as per law. However keeping in view the financial condition of the petitioner as submitted by him in his petitioner, and requested for payment in installments, the respondent may consider granting the facility of payment in installment if he makes a request for the same.

Dated: 13.12.2019

Subhash Kumar
(Ombudsman)