

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Zeshaan
S/o Late Shri Yasin
Idhgaah Road, West Ambar Talab
Roorkee, Distt. Haridwar, Uttarakhand.

Vs

Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Ramnagar, Roorkee, Distt. Haridwar, Uttarakhand

Representation No. 41/2018

Order

Date: - 18.02.2019

The petitioner, Shri Zeeshan S/o Late Shri Yasin, aggrieved by the order dated 14.12.2018 in complaint no. 163/2018 of the Consumer Grievance Redressal Forum, Haridwar zone (hereinafter referred to as Forum) has filed this petition.

2. Petitioner's case is that while he has a connection no. RM20168145630 in the name of his late father Shri Yasin, he received bill against this connection for 576 units for the period 22.12.2017 to 22.02.2018 amounting to Rs. 5,551.00. However for the period 22.02.2018 to 24.04.2018, he received bill for Rs. 70,917.00 for 15397 units. He claims that this is due to the meter having jumped and the bill for Rs. 70,917.00 is wrong. It is to correct this bill that he had approached the Forum but he feels he has not received a just decision from the Forum. One reason for his feeling that the bill is excessive is because while now he has two of his brothers staying with him, in the disputed period he was staying alone and the excess units charged in his bill for 22.02.2018 to 24.04.2018 cannot be correct. His request is that he should be charged on the same basis as the previous bill of 576 units for the period December 2017 to February 2018.
3. Forum, in their order dated 14.12.2018, have observed that while petitioner was receiving bills as per metered units up to December 2016, his meter was changed in February 2017. But right up to April 2018 no reading was taken from the meter and

the petitioner was given NR bills. On 24.04.2018, meter reading of 15622 was noted according to which, after adjusting the units already billed as per NR, petitioner was given a bill of Rs. 70,917.00. Forum have then given detailed reading of bills received by the petitioner for the subsequent period i.e. in the month of June, August and October for 2200 units, 5503 units and 2310 units respectively. Forum have also cited that opposite party UPCL have given a revised calculation of Rs. 1,25,247.00 before the Forum. This calculation is as per average consumption recorded in the check meter and as also on the average of the consumption recorded in the meter in the past and accordingly Forum found this calculation to be reasonable, recording that the petitioner is liable to pay this amount. Forum also directed opposite party to issue revised bill as per calculation submitted and thus disallowed and treated the complaint as disposed off as above.

4. Respondent UPCL in their written statement before the Ombudsman have stated that petitioner's case is incorrect because his meter has been changed in February 2017 and because there were no readings in the meter, billing was as per NR/MU. On 24.04.2018 meter showed a reading of 15622 and therefore after adjusting previous bills issued on NR/MU basis, bill of Rs. 70,970.00 (as per bill the figure is Rs. 70,917.00) was issued. Respondent have given details of bills issued in June, August and October 2018 for 2200, 5503 and 2310 units respectively. Respondent have further observed that since petitioner's meter was not showing a reading, a check meter was installed on 01.09.2018 which got burnt. Another check meter was installed on 18.09.2018 and on 26.11.2018 since the old meter was not displaying any parameters, the check meter was finalized and considered the main meter. The check meter showed consumption of 2657 KWH and 2752 KVAH in the period 18.09.2018 to 26.11.2018 (as per sealing certificate consumption is 2586 Kwh). Respondent have further maintained that when petitioner submitted his complaint before the Forum, the entire sequence of events were placed before the Forum which led them to dismiss the complaint while directing the department to issue revised bill as per calculation submitted (a copy of the calculation has been attached with the written submission). Respondent submitted revised bill as per Forum directions but petitioner has failed to abide by the Forum order and has not made any payment so far. Petitioner's complaint is therefore liable to be dismissed.

5. Both parties have been heard and the record has been carefully examined. Respondent have submitted sealing certificates of 01.09.2018 for installation of check meter showing the main meter reading at 21346; also sealing certificate of 18.09.2018 for installation of another check meter when the check meter installed on 01.09.2018 was reported burnt and main meter showed a reading of 21859; a third sealing certificate pertains to when the second check meter was finalized on 26.11.2018. The second check meter was finalized on 26.11.2018 at a reading of 2586 when the old meter failed to give any display, so this check meter was made the main meter. The bill against which the petitioner has approached the Forum and now the Ombudsman pertains to the period 22.02.2018 to 24.04.2018 for 15397 (15622-225) units for Rs. 70,917.00. This bill pertains not just to 2 months i.e. 22.02.2018 to 24.04.2018 but incorporates energy used by the petitioner in the period 02/2017 to 24.04.2018 during which period he was being issued NR bills. Petitioner's apprehension that this bill has come about because the meter experienced a jump, is not borne out by the figures of consumption available from the sealing certificate of 18.09.2018 which suggests that between 02/2017 and 18.09.2018 (when the meter was installed and 18.09.2018 which is the last date for which figures of consumption of this meter are available) his average consumption comes to 1111 units between 02/2017 to 04/2018 and 1247 units between 04/2018 to 18.09.2018 whereas the second check meter installed on 18.09.2018 and made the main meter on 26.11.2018 shows an average consumption of 1170 units between the period 18.09.2018 to 26.11.2018.
6. Forum, in their order dated 14.12.2018, incorporated dues up to November 2018 as given in the calculation sheet submitted to the Forum by Executive Engineer (Distribution) on 13.12.2018. It is evident from the calculation that even as average consumption of the old meter installed on 02/2017 which remained functional up to 18.09.2018 and check meter made main meter from 18.09.2018 (as per sealing certificate dated 26.11.2018) to 26.11.2018 has been used to bring out the correct billing, LPS has continued to be charged. While the bill of February to April 2018 appears to have been modified to reflect appropriate tariff in calculation submitted upon Forum, LPS has continued to be charged both in the initial bill issued and in the calculation submitted before the Forum. Accordingly, respondent were directed to confirm whether LPS was being charged to the consumer even though a firm and

correct bill had not been issued. Respondent vide letter dated 13.02.2019 (inadvertently mentioned as 13.02.2018) have confirmed that LPS has been charged in the calculations submitted to Forum on 13.12.2018. In accordance with the information submitted by Executive Engineer on 13.02.2019 revised bill at appropriate tariff and without LPS may be issued. Petitioner's request for modification of his bill at 576 units per bill in keeping with NR bill issued to him for the period 22.12.2017 to 22.02.2018 cannot be acceded since metered consumption readings are available. Forum order is therefore upheld with the above modification.

Dated: 18.02.2019

(Vibha Puri Das)
Ombudsman