

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Pandit Chandra Mohan Mishra
Moholla Myana, Kankhal,
Haridwar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Urban),
Uttarakhand Power Corporation Ltd.
Haridwar, Uttarakhand

Representation No. 18/2020

Order

Dated: 28.10.2020

Pandit Chandra Mohan Mishra, Kankhal Haridwar a consumer of Uttarakhand Power Corporation Ltd. (hereinafter referred to as UPCL) for connection no. 6990401116803 for 5 HP load for PTW (Private Tube Well) being aggrieved with Consumer Grievance Redressal Forum, Haridwar zone (hereinafter referred to as Forum) order dated 20.08.2020 in his complaint no. 31/2020 before the said Forum has preferred this appeal for correction of his disputed bill.

2. The petitioner has preferred an appeal dated 18.09.2020 wherein he has submitted that he had received an order of Forum on 22.08.2020 with which he is not satisfied and has submitted as follows:

- i) He had lodged a complaint before the department for installation of check meter on his tube well connection no. 6990401116803 on 29.09.2019 but the department had not taken any action, neither any slip for having installed the check meter was given but had got deposited Rs. 10,000.00 for the check meter.
- ii) After sometime the departmental staff had told him that his meter was IDF while the meter was running and a video of the meter was also sent to the department by him.
- iii) He has stated that bill for the connection under reference for the period 31.05.2017 to 30.11.2017 was for 3090 units and bill from 30.05.2017 to

14.06.2018 i.e. 13 months was for 6261 units but bill for the period 14.06.2018 to 24.12.2018 was received for 18273 units, which by his reckoning was excessive.

- iv) After this the meter was replaced.
- v) The total units recorded in the new meter from 26.11.2019 to 31.05.2020 were only 1080 units which is correct.

Having submitted as above he has prayed that his bill be got corrected.

3. The Forum relying on the submissions of opposite party (the respondent) have observed that the department had issued bill for the period of IDF on the average of previous 3 billing cycles and after replacement of the meter the bills have been issued as per metered units recorded by the new meter and hence they have opined that all the bill have been issued as per rules and they are payable by the complainant and hence they have held that the complaint is not liable to be allowed and as such they have dismissed the complaint.
4. The respondent Executive Engineer, Electricity Distribution Division (Urban), Haridwar (hereinafter referred to as respondent) has submitted written statement vide letter no. 728 dated 26.09.2020 as follows:
 - i) The petitioner has made a complaint for check meter on 29.09.2019 on the meter of his connection no. 6990401116803 but an IDF bill was sent to him before that on 25.06.2019 as such installation of check meter at his connection was not possible.
 - ii) He has denied petitioner's submission that Rs. 10,000.00 were got deposited from him for check meter. In fact he had deposited Rs. 10,000.00 on 05.11.2019 against the outstanding bill of Rs. 50,238.0.
 - iii) The reply to point no. 3 to 5 is as follows:
 - a. The petitioner has sent a complaint for check meter in his office on 27.09.2019.
 - b. On receipt of the aforesaid complaint the JE concerned was verbally directed to submit MRI report of meter no. 353706 installed on the aforesaid connection but MRI could not be taken because of the meter having been defective.

- c. Where after the AE (meter) was directed to replace the IDF meter vide his letter no. 2142 dated 07.11.2019.
- iv) Accordingly the IDF meter no. 353706 was replaced on 26.11.2019 at reading 63939.
- v) IDF bill was sent on 25.06.2019. Subsequently bill dated 18.12.2019 was sent on the average of previous 3 bills in accordance with sub regulation 3.2 (1) of UERC (The Electricity Supply Code) Regulations, 2007.
- vi) A sum of Rs. 61,850.00 is outstanding against the petitioner as on 17.06.2020.
- vii) A complaint was made by the petitioner before the Forum on 12.03.2020 registered as complaint no. 31/2020. The reply to this complaint was submitted before the Forum vide letter no. 3733 dated 29.05.2020.
- viii) The Forum had held the bills issued by the department were correct and as per rules and have thus dismissed the complaint vide their order dated 20.08.2020.

On the basis of the above facts he has requested that the appeal be dismissed. He has substantiated his reply with documentary evidences mentioned in the written statement.

- 5. The petitioner has submitted his rejoinder dated 05.10.2020 wherein he has reiterated his submissions regarding complaint of check meter and declaring his existing meter IDF on 25.06.2019 which he had denied by stating that on 11.10.2019 he had sent a video of the meter showing the meter as running to AE (R) and has requested that he should be allowed to show this video during hearing. The meter was held IDF due to some mistake on the part of some staff of the department and on the basis of that check meter was not installed. He has further stated that he was not informed as to under which head of account Rs. 10,000.00 were got deposited. He has also stated that he had been receiving bills of amount Rs. 1,672.00 and Rs. 2,000.00 to 3,000.00 but after installation of new meter on 22.10.2019 bill for April was received only for Rs. 700.00 so he has again requested that his bill be got corrected.
- 6. Hearing in the case was held on 15.10.2020 as scheduled. Both parties appeared and submitted their arguments. Video referred in his rejoinder was also shown by the petitioner's representative.
- 7. All documents available on file have been perused and arguments from both parties have been heard. It is found that a 5 HP PTW connection was released to the

petitioner on 20.10.2014. Billing history submitted by the respondent for the period 09/2016 to 06/2020 shows that six monthly bills up to 06/2018 were being issued for average consumption of about 3000 units per billing cycle of six months (bill for the period 31.05.2017 to 30.11.2017 was for 3090 units and that for the period 30.05.2017 to 14.06.2018 was for 6261 units for 13 months). There was no dispute till 06/2018. Bill for the period 14.06.2018 to 24.12.2018 was issued for 18273 units and this is the disputed bill which caused grievance to the petitioner. While a check meter could not be installed on the request of the petitioner dated 29.09.2019 as the existing meter had already become defective on 25.06.2019 and was replaced by a new meter on 26.11.2019 as per sealing certificate submitted with the written statement. Bills for the period ending 06/2019 and 12/2019 have been issued for 7746 units as IDF and 6637 units partly as IDF and partly for MU units recorded by the new meter respectively. Another bill for the period ending 06/2020 has been issued for 1242 units as per recorded consumption by the new meter.

8. In view of the bills prior to the disputed bill for the period 14.06.2018 to 24.12.2018 and thereafter it is well established that the disputed bill for 18273 units is an inflated bill and does not reflect the actual consumption that might have been made by the petitioner. It must have been issued either due to wrong reporting of the reading or malfunction of the meter and thus this is not a justified bill and needs to be revised. As the average consumption of the petitioner prior to the period of disputed bill has been of the order about 3000 units per billing cycle of 6 months i.e. average monthly consumption of about 500 units per month. It also appears correct and justified averment of the petitioner made during hearing that the average running of the PTW is from 5 to 6 hours per day and it is still less during rainy season. On this basis also the average monthly consumption of the PTW of 5 HP should be from 500-600 units per month.
9. In view of these facts of the case the respondents are directed to revise the bills from 06/2018 to 12/2018, 12/2018 to 06/2019 and 06/2019 to 12/2019 on the basis of average of the two bills from 05/2017 to 06/2018 for 6261 units in 13 months. The petition is allowed. Forum order is set aside.

Dated: 28.10.2020

(Subhash Kumar)
Ombudsman