

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Suresh Kumar
S/o Shri Mohan Lal
Old Ward no. 7 present ward no. 9
Punjabi Colony, Gadarpur
Distt. Udham Singh Nagar, Uttarakhand

Vs

Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Rudrapur, Distt. Udham Singh Nagar, Uttarakhand

Representation No. 52/2019

Order

Date: - 15.01.2020

Being aggrieved with Consumer Grievance Redressal Forum, Rudrapur zone (hereinafter referred to as Forum) order dated 04.09.2019 in his complaint no.61/2019 before the said Forum against Uttarakhand Power Corporation Ltd. (UPCL) through its Executive Engineer, Electricity Distribution Division, Rudrapur, (hereinafter referred to as respondent) the petitioner Shri Suresh Kumar has preferred this appeal who is a consumer of UPCL under domestic category for connection no. 891C327014682.

2. The petitioner has submitted an appeal dated 24.09.2019 followed by a supplementary submission dated 17.10.2019. He has stated that his grievance arose on receipt of a bill on 05.07.2019 for 14533 units amounting to Rs. 84,615.00. When contacted, to the meter reader, a revised bill for Rs. 7,510.36 was issued to him, which was subsequently deleted. He has made following submissions:
 - i) The department have stated that due to non visibility of the readings in the meter since January 2019 bills on SBM could not be issued by the meter reader and further the fact was brought to his notice by the meter reader. He has denied that nothing like that was ever informed to him by the meter reader.

- ii) An accumulated bill for 19533 units has been given to him in which, it is stated, that he is dissatisfied (bill amounting to Rs. 84,615.18 is for the period from 27.05.2019 to 05.07.2019 for 14533 units and not for 19533 units as stated by the petitioner)
 - iii) The meter was replaced on 11.04.2014 (the correct date of meter replacement as per sealing certificate is 11.01.2014). He has questioned that why bi-monthly bills as per actual meter readings have not been issued. Had the department issued bi-monthly bills as per readings he would have made the payments regularly.
 - iv) He has further stated that he is dissatisfied with Forum order wherein the Forum has ordered for revision of the bills for 7 months, for the accumulated units on the average basis.
 - v) He has stated that since installation of the meter on 11.04.2014 (correct date is 11.01.2014 as explained at sr. no. iii) above) the total consumption recorded by the meter is 19533 units so he has requested that a revised bill on average consumption recorded till date from the date of installation be issued after adjustment of payments made by him against the bills received.
3. The Forum have observed that the reading in the month of November 2018 was 5000 units and it was 19533 units in the month of July 2019. Before November 2018 the average consumption for 2 months is exhibited as 300 units in the billing history. The Forum have observed that this much consumption for a 4 KW connection appears to be low, which suggests that correct readings were not being reported by the meter reader, as a result the readings went on accumulating which was found 19533 units in the month of July 2019. The reported consumption of 150 units per month for 4 KW connection as reported till 11/2018 cannot be held as correct. An accumulated bill for 7 months issued by the opposite party is held as wrong. So they concluded that bill for these 7 months be revised on average consumption on appropriate tariff. They have further mentioned that in case the complainant has any doubt about the correctness of the meter he can get a check meter installed. Having observed as above they have directed that bill from November 2018 to July 2019 be issued on average consumption of the total consumption of 14533 units on appropriate tariff.

4. The respondent has submitted his written statement vide letter no. 6309 dated 30.11.2019 wherein he has stated that a bill for 20511 units amounting to Rs. 92,177.00 was issued to the petitioner on 07.11.2019 which appears to be correct. On checking/inspection on 28.11.2019 reading in the meter was found 20723, which suggests that the meter is working correctly however, if the petitioner feels any problem with the meter a check meter may be installed. A copy of SDO's letter dated 29.11.2019 and billing history from 03/2011 to 11/2019 has been adduced in support of his written statement. But he has not given any clarification about the meter readings reported by the meter reader in the month of 11/2018 as 5000 units and that in the month of 07/2019 as 19533 units.
5. In his rejoinder dated 14.12.2019 the petitioner has submitted that a consumption of 14533 units during a period of 7 months from 11/2018 to 07/2019 giving per day consumption of 70 units is impossible at his connection. The old bills on NR and IDF have been issued on the whims of meter reader. He has again reiterated that a revised bill from the date of installation of meter be issued on average of the total consumption recorded during the entire period.
6. Hearing in the case was fixed for 27.12.2019 when the petitioner appeared for submission of his argument but the respondent was absent. Arguments from the petitioner were heard and next date of hearing of arguments from the respondent was fixed on 06.01.2020. On the request of the respondent showing his inability to appear for arguments on 06.01.2020 yet another date for hearing the arguments of respondent was fixed on 13.01.2020. Shri Prakash Chandra Shah, Assistant Engineer (Revenue) appeared for arguments on 13.01.2020 on behalf of the respondent and submitted his arguments. He stated that a total consumption of 5000 units reported by the meter reader since 11.01.2014 (the date of replacement of mechanical meter by the present electronic meter) till November 2018 was misreporting and the reading in July 2019 reported as 19533 based on which a bill for 14533 units issued on 05.07.2019 was in fact a bill for the accumulated consumption which was not reported earlier and as such the bills from the date of installation of meter till July 2019 needs to be revised for a total consumption of 19533 units on average basis.
7. Records on file have been perused and arguments from both parties have been heard. It is found that the existing mechanical meter of the petitioner was replaced by the

electronic meter vide sealing certificate no. 7/219 dated 11.01.2014 at initial 0 (zero) reading and as per billing history the reading in the month of 07/2019 was 19533 units and therefore the meter recorded a total consumption of 19533 units from January 2014 to July 2019 i.e. a period of 67 months, which gives an average consumption of 291 units per month. The bills issued from January 2014 to 11/2018 for a consumption of 5000 units in 58 months for an average consumption of 86 units per month was definitely due to misreporting of readings by the meter reader, which resulted into issue of a bill for 14533 units for a period of 11/2018 to 07/2019 in just 9 months giving an average consumption of 1615 units, which is too high in comparison to the average consumption reported till 11/2018. It would therefore be justified, reasonable and logical to revise the bills from January 2014 to July 2019 on the average monthly consumption based on the total consumption of 19533 units recorded by the meter during this period, which consumption is undisputed and is agreeable to both the parties. The respondent are therefore directed to revise the bills from January 2014 to 07/2019 as aforesaid on appropriate tariffs without levy of LPS and after adjustment of the amounts paid by the petitioner against the issued bills for the aforesaid period. Forum order stands modified as above. Petition is allowed.

Dated: 15.01.2020

(Subhash Kumar)
Ombudsman