

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Sudhanshu Joshi
House no. 8, Gali No. 6-A,
Kali Mandir Enclave,
GMS Road, Dehradun,
Uttarakhand

Vs

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

Representation no. 29/2020

Order

Dated: 15.01.2021

Being aggrieved with the order dated 28.10.2020 of Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) in his complaint no. 40/2020 before the said Forum against Uttarakhand Power Corporation Ltd. through its Executive Engineer, Electricity Distribution Division (South), Dehradun, Shri Sudhanshu Joshi, GMS Road, Dehradun has preferred this appeal for correction of his inflated bill from January 2020 to February 2020.

2. The petitioner has stated that he had received an inflated bill for Rs. 5,365.00 for the period November 2019 to January 2020. He approached the SDO for correction of his bill who found that display was defective in the meter and so he considered as IDF and corrected the bill to Rs. 1,555.00 which was paid. Again bill from January 2020 to February 2020 was received for excessive amount of Rs. 6,163.00 for metered consumption of 1060 units. On contacting the SDO he was advised to deposit a lump sum amount of Rs. 4,200.00 and lodge a online complaint on toll free number 1912. He did the same where after the IDF meter was replaced by a new meter on 19.03.2020. In the sealing certificate dated 19.03.2020 it was mentioned that the meter has been replaced by a new meter as the old meter display was defective and the old meter shall be checked by JE Lab and report shall be made available. The petitioner has submitted that no report was given to him by the Lab till the month of

11/2020. Regarding report of the old meter it was told by JE Lab that since the meter is defective and display is not appearing so no test report is possible. Three reminders were subsequently given for correction of the bill and a corrected bill for Rs. 3,375.00 was given which is not acceptable to him and he is pressing that the disputed bill should be corrected on the basis on which bill from November 2019 to January 2020 was corrected from Rs. 5,365.00 to Rs. 1,555.00. He is not satisfied with the Forum orders because the Forum have disapproved the arguments and logics given by him which is against natural justice. The ex-parte decision has been taken by the Forum only on the basis of billing history and they have held that the old meter had become defective after generation of the bill from January to February 2020.

3. The Forum have observed that the meter had become defective on 17.02.2020 at a reading of 17310 and was replaced by a new meter on 19.03.2020. The disputed bill for the period of IDF and on the actual reading of the new meter had duly been corrected by the opposite party and adjustment given accordingly. The complainant had requested for correction of the bill from January to February 2020 while it had already been corrected based on meter reading, hence no further relief is possible and the Forum have accordingly dismissed the complaint vide their order dated 28.10.2020.
4. The respondent Executive Engineer has submitted a written statement vide his letter dated 14.12.2020. It is submitted that as per Forum order dated 28.10.2020 reading in the old meter was 17310 on 17.02.2020 where after the meter had become defective which was replaced by a new meter on 19.03.2020 on consumer's complaint dated 26.02.2020 as such the disputed bill had already been revised for the period of IDF and reading in the new meter and adjustment had also been given accordingly.
5. A rejoinder has been submitted by the petitioner on 30.12.2020 which is merely a repetition or reiteration of the contents of his petition and again he has requested that disputed bill from January to February 2020 which was excessive being for Rs. 6,163.00 for 1060 units be got revised. He has also demanded compensation for mental and financial harassment.
6. Hearing in the case was held on 11.01.2021 as scheduled. Shri Himanshu Joshi, authorized representative and younger brother of the petitioner appeared on behalf of

the petitioner. The respondent was represented by Shri Archit Bhatt, SDO and Shri Sunil AE (R). Both parties submitted their arguments. Petitioner representative pressed that the disputed bill has yet not been revised on the basis on which earlier bill for the period November 2019 to January 2020 was revised from Rs. 5,365.00 to 1,555.00 and he has requested that the disputed bill be got revised accordingly. He has further shown his satisfaction to the bills issued after 19.03.2020 on the metered consumption recorded by the new meter. The respondent's representative categorically stated that the disputed bill has yet not been revised by them. A perusal of the records shows that the bill from November 2019 to January 2020 was revised for 374 units and for a sum of Rs. 1,555.00 which was paid by the petitioner hence monthly consumption in this bill was 187 units. The new meter was installed on 19.03.2020 at 0 initial reading and reading in this meter on 28.12.2020 was 2001, hence a total of 2001 units were recorded from 19.03.2020 to 28.12.2020 i.e. in a period of 9 months and 10 days. Hence the average consumption recorded by the new meter is 215 units per month. Both parties agreed for revision of the disputed bill for 215 units.

7. In view of the aforesaid facts of the case revision of the disputed bill for Rs. 6,163.00 for 1060 units, for a consumption of 215 units as per average monthly consumption recorded by the new meter appears to be logical and justified and is also agreeable to both parties. The respondent are therefore directed to issue a revised bill for the period January 2020 to February 2020 for 215 units only and a revised bill after adjustment of the payments made against the disputed bill be issued within 15 days from the date of this order. Petition is allowed. Forum order is set aside.

Dated: 15.01.2021

(Subhash Kumar)
Ombudsman