

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Sunita Chauhan
W/o Shri Ravindra Kumar Chauhan
Mehuwala Maafi,
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Mohanpur, Dehradun, Uttarakhand

Representation No. 37/2021

Order

Dated: 18.01.2022

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 25.11.2021 in her complaint no. 33/2021, before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Mohanpur (hereinafter referred to as respondent) Smt. Sunita Chauhan W/o Shri Ravindra Kumar Chauhan R/o Mehuwala Maafi, Dehradun has preferred this petition for correction of her bills.

2. The petitioner, Smt. Sunita Chauhan has submitted a petition dated 30.11.2021, further substantiated by some subsequent submissions vide her undated application. The petitioner has averred that she has a 1 KW domestic connection no. MPR112214299 at her residence. Having received an inflated bill due to defective meter, she lodged a complaint before the Forum which was registered there as complaint no. 33/2021. She received a bill on 26.06.2020 amounting to Rs. 9,516.00 including arrears Rs. 7,310.00 which she could not pay due to her financial stringency. Thereafter a bill amounting to Rs. 11,932.00 was received on 24.12.2020. After arranging the money, when she went to the office of the respondent for depositing the said bill, she was informed by the staff that now her bill issued on 19.08.2021 was for Rs. 49,850.00. As this bill was in excess than what her consumption was, the staff advised her to get a check meter installed. Accordingly she

applied for a check meter and deposited Rs/. 95.00 as check meter fee on 21.08.2021, but the check meter was not installed till filing of this petition, therefore complaint as aforesaid was lodged before the Forum. The Forum dismissed the complaint vide order dated 25.11.2021. According to her there were following shortcomings in Forum's order

- i) The check meter was not got installed at her premises.
 - ii) The Forum did not examine the disputed bills with respect to the old bills, meter readings and her consumption
 - iii) The Forum passed ex-parte order without examining the case. Further she has stated that she was ready to pay bill dated 24.12.2020 amounting to Rs. 11,932.00.
 - iv) Further the check meter be got installed which was applied for on 21.08.2021 and fee Rs. 95.00 was also deposited by her and bills after 24.12.2020 be ordered to be revised as per check meter report and which she was ready to pay.
3. The Forum observed that all the bills have been issued on metered units which are correct and as such no revision of the issued bills is required. No relief is admissible and thus the complaint was dismissed.
4. The respondent, Executive Engineer has submitted his reply vide letter no. 2232 dated 15.12.2021. The respondent has stated that the petitioner had applied for installation of a check meter on 21.08.2021. The check meter was installed on 13.12.2021. Any bill correction shall be done as per check meter report as and when the same shall be available. He has further submitted that due to the meter no. 32162353 installed at petitioner's premises had become defective so the bills for the period 10/2019 to 06/2020 are required to be revised which shall be revised on receipt of check meter report. The respondent has made further submissions vide his letter no. 2601 dated 31.12.2021 wherein he has stated that a check meter was installed at the premises of the petitioner on 13.12.2021 vide sealing certificate no. 29/108. The check meter was finalized on 28.12.2021 vide sealing certificate no. 31/130. The bills for the period 10/2019 to 06/2021 have accordingly been revised as per check meter report,

according to the revised bills the total outstanding dues after revision comes out to Rs. 23,956.00 ending 12/2021. He has substantiated his submission with copy of referred sealing certificates, consumer ledger and calculations for revision of the bills.

5. The petitioner have submitted a rejoinder with affidavit dated 24.12.2021. It is stated that from respondent's letter she came to know that a check meter was installed at her premises, but that day she was not present at her house, so neither they were informed for installation of check meter nor any signature on the sealing certificate were obtained, so both the sealing certificates have not been signed by her. She has again requested that bills be revised as per meter readings.
6. Hearing in the case was held on scheduled dated 10.01.2022. Both parties were present. While the petitioner was represented by her son, Shri Vishesh Chauhan, the respondent was represented by Shri Anuj Agarwal, AE (R). The respondent's representative informed that check meter was installed on 13.12.2021 and was finalized on 28.12.2021. The existing meter was found running fast by 250% as per check meter study and the bills from 10/019 to 06/2021 were accordingly revised. As a result of bill correction the total outstanding dues have reduced to Rs. 23,956.00 from Rs. 84,413.00 ending December 2021. The revised dues of Rs. 23,956.00 includes LPS. Respondent's representative submitted that since the LPS waiver scheme has been extended up to 31.03.2022 so if the petitioner pays the principal amount out of the total dues Rs. 23,956.00, the LPS can be waived off.
7. Documents available on file have been perused. Arguments from both parties were heard. Admittedly there was no dispute about the dues amounting to Rs. 11,932.00 on 24.12.2020 and dues accumulated thereafter to Rs. 49,850.00 till 19.08.2021 were under dispute. As per check meter study conducted from 13.12.2021 to 28.12.2021, where the existing meter was found running fast by 250%, the bills from 10/2019 to 06/2021 (A perusal of calculation sheet enclosed with respondent's letter dated 31.12.2021 shows that bills have been revised right from the date of release of connection on 09.06.2017 till 12/2021, after adjusting the payments made by the petitioner and not for the period 10/2019 to 06/2021, as stated by the respondent.) were revised to Rs. 23,956.00, which therefore appears to be justified and are thus payable by the petitioner, however the LPS waiver scheme has since been extended till 31.03.2022 vide Government of Uttarakhand notification no. 1869 dated

03.01.2022 and has since been implemented vide UPCL's office memorandum no. 81 dated 06.01.2022, the facility of LPS waiver shall be admissible to the petitioner, if she pays the principal amount as aforesaid immediately and also continues to pay the subsequent bills as may be issued by the respondent within the prescribed due date of each bill. Petition is allowed. Forum order is set aside.

8. There has been delay in installation of check meter as the check meter was installed on 13.12.2021, while check meter fee was deposited by the petitioner on 21.08.2021, for the delay beyond prescribed limit for installation of check meter the petitioner is entitled for compensation as admissible under point no. 5 of Schedule III of UERC (Standard of Performance) Regulations, 2007 as reproduced below:

“Testing of meter Within 15 days of receipt Rs. 25 for each day of default”

The respondents are directed to work out the amount of compensation admissible under the aforesaid regulation and shall give the same by way of adjustment in the bill.

Dated: 18.01.2022

(Subhash Kumar)
Ombudsman