

## **THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Smt. Anita  
W/o Shri Sunil Kumar  
D-98, Near Police Lines,  
Race Course, Dehradun, Uttarakhand

Vs

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

Representation No. 24/2022

### **Order**

Dated: 20.07.2022

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 28.04.2022 in his complaint no. 97/2021, before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division (South), Dehradun (hereinafter referred to as respondent) Smt. Anita W/o Shri Sunil Kumar, D-98, Near Police Line, Race Course, Dehradun (connection is in Transport Nagar phase 2, Dehradun) has preferred this appeal for review of Forum order and for action against the erring staff for non compliance of Forum's order.

2. The petitioner, Smt. Anita has preferred this instant appeal dated 27.05.2022, She has averred that she has a 2 KW non domestic connection no. SD65566167654 at Transport Nagar, phase 2. In the bill dated 21.06.2021 for her aforesaid connection abnormally high consumption has been shown as her average consumption had been from 200 to 400 units per bill, which were being paid regularly. In the said bill meter change has been mentioned while the meter number is the same as was in the earlier bills. The mistakes in the bills were reported to JE and SDO but no action was taken by them for correction in the bill, therefore a complaint was lodged with the Forum. After hearing both parties the Forum ordered to the department for correction of the bill within 15 days.

3. She has further stated that there were certain mistakes/shortcomings in Forum order, such as the meter change has been shown but meter number is the same and no action against the official has been taken for this mistake. The department did not comply with Forum order as no corrections were made in the bill, she has therefore requested that the Forum order be reviewed and the UPCL's concerned officials be asked as to why Forum's order had not been complied with, within prescribed 15 days time and action against the erring officer/staff be kindly taken. She has authorized her son Shri Harshit Chaudhary to plead her case before Ombudsman.
4. The Forum after perusal of records and hearing both parties found that mainly the complaint is that although the meter has been shown as changed but meter number is the same as it was earlier. The opposite party reported that although the meter had already been replaced earlier but the sealing was posted on 25.02.2021. The consumer history shows that IDF bills have been issued from 21.01.2020 to 19.02.2021 which is not consistent with sub regulation 5.1.7 (1) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, so the Forum concluded that revision of the bill for the aforesaid period in accordance with the aforesaid regulation shall be logical and justified and accordingly the Forum directed the opposite party to revise the bill for the period 21.01.2020 to 19.02.2022 in accordance with aforesaid regulation after adjustment of, the payments made by the complainant against the bills issued for the aforesaid period. No LPS shall be charged on such a revised bill. The Forum had directed compliance of their order within 15 days.
5. The respondent Executive Engineer has submitted his written statement along with an affidavit vide his letter no. 633 dated 13.06.2022 wherein he has submitted point wise replies as follows:
  - i) Bill for the month of 06/2021 has been issued on MU after replacement of meter, the said bill has been issued for 1295 units which includes 583 units recorded in the new meter and 712 left over units of the old meter.
  - ii) The bill for the aforesaid connection no. SD 65566167654 for the disputed period from 21.01.2020 to 19.02.2021 has duly been revised in compliance to Forum's order dated 28.04.2022.in which 712 left over units of the old meter

have been deleted. Copy of calculation for such a revised bill is enclosed with the written statement.

iii) No comments can be given on Forum's order.

iv) Bill has since been revised in compliance to Forum's order dated 28.04.2022.

6. The petitioner has submitted a rejoinder dated 30.06.2022 along with an affidavit. She has submitted as follows:

i) Not satisfied with respondent's reply i.e. it is not admitted because it is not clarified that how a sum of Rs. 8,445.00 has been shown in the bill dated 21.06.2021, because they have been receiving bills for Rs. 200.00 to 400.00 in the past. Further meter change has been shown in the bill dated 21.06.2021, but the same meter number has been mentioned in the earlier bills as well as in the bills issued after this bill.

ii) After perusal of the bills the meter was changed in the year 2018, but in the sealing report issued by the department the meter was replaced on 25.02.2021 being defective. It suggests that the meter was changed in the year 2018 and the sealing report was prepared in the year 2021,

iii) IDF bills have been issued continuously for 12 months from 21.01.2020 to 19.02.2021 in contravention to the departments' rules.

iv) For the reasons mentioned aforesaid and evidences it appears that officers/staff are careless in discharging their duty and are not performing their duty properly which causes mental and financial harassment to the consumer.

v) The Ombudsman may kindly take action against the concerned officers/staff for fabricating the sealing report and the bill dated 21.06.2021 be revised and LPS be also be deleted.

7. Hearing in the case was held on scheduled date 11.07.2022, both parties appeared and argued their respective case. After perusal of documents available on file and hearing arguments from both parties, it has been found that: -

- i) Sealing certificate no. 09 dated 25.02.2021 shows that old meter number 60004473 was replaced by new meter no. 015619 through this sealing certificate on 25.02.2021.
- ii) While the bills available on file shows meter no. 015619 in all the bills issued from 22.08.2018 till the bill dated 01.05.2022. All these bills also show a remark MC (meter change). The bill dated 23.07.2018 shows meter no. as 60004473. This bill also shows meter change. Bill dated 22.08.2018 and bill dated 01.05.2022 also shows meter change. A perusal of the bill dated 23.07.2018 for the period 22.06.2018 to 23.07.2018 in which meter change has been mentioned, clearly shows that the meter was changed sometime between 22.06.2018 to 23.07.2018 and further as meter number 015619 is also shown in all the bills from 22.08.2018 till 01.05.2022, it also confirms that the meter was changed between 22.06.2018 to 23.07.2018. In view of above facts it is clear that sealing certificate dated 25.02.2021, which shows meter change on 25.02.2021 is not a genuine document but it might be a fabricated document. The competent authority of UPCL is directed to identify the staff responsible for committing a gross mistake by issuing the sealing certificate dated 25.02.2021 showing replacement of meter on 25.02.2021 whereas as established from above deliberations the meter had already been replaced sometime between the period 22.06.2018 to 23.07.2018 as is confirmed from all the bills as mentioned above.
- iii) A perusal of bills also suggests that IDF billing has been done continuously from 25.12.2019 to 19.02.2021, while the Forum has mentioned that IDF billing was done from 21.01.2020 to 19.02.2021. It is therefore established that IDF billing continued for about 14 months in a single stretch in gross violation of sub regulation 5.1.7 (1) of UERC regulations, 2020 which provides that IDF bills can be issued for a maximum period of 2 billing cycles during which time the Licensee is expected to replace defective meter.
- iv) The respondent in written statement has submitted that the bills have been revised as per Forum's order wherein 712 leftover units of old meter has been deleted. A perusal of the calculations of the revised bill submitted with written statement suggests that the bill of IDF period has not been revised as

per Forum's orders which says that bill for the period during which IDF bills were issued be revised in accordance with sub regulation 5.1.7 (1) of UERC regulations, 2020, which provides that IDF billing can be done for a maximum period of 2 billing cycles only. In the instant case IDF bills have been issued continuously for 14 months while by virtue of aforesaid regulation and Forum's order, IDF bills can only be charged for 2 billing cycles. The respondents are directed to issue the revised bill for the period of IDF billing, strictly in accordance with aforesaid regulation as ordered by Forum and after adjusting the amount deposited by the petitioner against these bills and without levy of LPS. The revised bill as ordered above shall be issued within 15 days of this order. Petition is allowed. Forum order is upheld.

Dated: 20.07.2022

(Subhash Kumar)  
Ombudsman