

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Rajkumar Bhatia,
R/o 899/3/4,
Kaulagarh Road,
Hotel Ratan Palace,
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Central),
Uttarakhand Power Corporation Ltd.
18 E.C. Road, Dehradun,
Uttarakhand

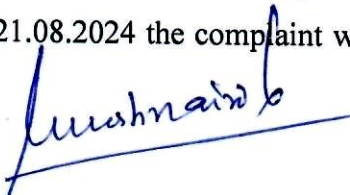
Representation No. 07/2025

Award

Dated: 30.04.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Garhwal Zone, (hereinafter referred to as Forum) dated 31.01.2025 in complaint no. 65/2024 by which Ld. Forum directed the opposite party to revise the bills as mandated under Sub regulation 5.1.7 (1) of UERC Regulation 2020 of appellant Shri Rajkumar Bhatia, R/o 899/3/4, Kaulagarh Road, Hotel Ratan Palace, Dehradun, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Central), Uttarakhand Power Corporation Ltd., 18 E.C. Road, Dehradun, Uttarakhand (hereinafter referred to as respondent).

2. The petitioner, Shri Rajkumar Bhatia has preferred the instant appeal dated 27.02.2025 wherein he has averred as follows:-
 - i. Bills from 31.10.2022 to 16.01.2024 have duly been paid although all these bills were without meter readings. A sum of Rs. 675842.00 was paid against such bills which is not justified and was wrong. The meter was replaced on 16.01.2024 although check meter fee was deposited on 10.10.2023 even then no check meter was installed and the existing meter was replaced on 16.01.2024 declaring the existing meter IDF. As the department did not resolve the problem he approached to the Forum with a complaint on 21.08.2024 the complaint was registered at no.



65/2024. All facts about the case were duly mentioned in the complaint. The Forum decided the complaint vide order dated 30.01.2025 wherein the opposite party was directed that out of NA/IDF bills issued for 10 billing cycles from 03,2023 to 12, 2023 only payment of first two bills be realized in accordance with relevant UERC Regulations. Being aggrieved with Forum order the instant petition has been filed for the following reliefs

- a. The meter had become defective from January 2023.
 - b. Forum order directing to charge only first 02 cycles bills from March, 2023 to December 2023 is wrong and not justified.
 - c. As the meter had become defective from February 2023 so out of 13 billing cycles payment of first 02 bills from December 2022 and January 2023 should be charged and for the remaining 11 cycles bills from February 2023 to 16.01.2024 only fix charged be levied.
3. After perusal of records the Forum was of the opinion that the opposite party has violated the relevant UERC Regulations in issuing the NA/IDF bills wherein NA/IDF bills were issued in a single stretch for 10 billing cycles from March 2023 to December 2023. As per relevant UERC regulations, the opposite party should insure to realize the amount of only 02 first bills and for the remaining 08 nos. bills only fix charges be realized which shall be logical and justified and having observed as such the Forum passed order dated 31.01.2025 wherein the opposite party was directed that out of 10 no. NA/IDF bills issued from 03, 2023 to 12, 2023 payment of only first 02 bills be realized as per UERC Regulations and for the remaining 08 nos. bills only fix charge be levied and no LPS be charged.
4. The answering respondent has submitted his written statement vide letter no. 1246 dated 25.03.2025 along with a notarized affidavit. Pointwise reply has been submitted as follows:-
- i. Meter No. EL3308 was installed at petitioner's connection no. CD0K000021077.
 - ii. While the appellant has averred that his meter reading was excessive from the month of January, 2023 SDO concerned has reported that meter reading from the month of February, 2023 was obtaining excessive. MRI of the installed meter could not be taken.



- iii. Bills from the month of May 2023 were issued on IDF.
 - iv. IDF bills including the bill for the month of February 2023 were issued on average of the past MU bills.
 - v. Meter was replaced in the month of January 2024 by Test Division.
 - vi. The appellant has duly paid bills upto the month of January 2024.
 - vii. The appellant had filed a complaint no. 65/2024 before CGRF.
 - viii. The Forum after hearing both parties ordered for correction of the bill vide order no. 424 dated 03.02.2025 (perusal of Forum order shows that the Forum passed order on 30.01.2025 and sent it to parties vide letter no. 424 dated 03.02.2025).
 - ix. The bills were revised in compliance to Forum order and after correction no dues are outstanding against the appellant (copy of documents as referred in the WS has been adduced by the respondent).
5. The appellant has submitted a rejoinder dated 08.04.2025. At the outset the appellant has averred that the respondent in his WS has not answered any of the points of his appeal no. 07/2025. Point wise reply has been submitted as follows:-
- i. Replies under point no. 1 to 5 in the rejoinder are merely reiteration of what the appellant has already averred in his petition.
 - ii. Under point no. 6 the petitioner has submitted that bills should be revised from February 2023 to December 2023 as meter had become defective from February 2023.
 - iii. Under point no. 7 the appellant has averred that the respondent ignoring the facts of appeal has revised the bills only as per Forum order which is wrong. Documents as mentioned in the rejoinder has been enclosed with the rejoinder.
6. Hearing in the case was held on 16.04.2025. Both parties appeared and orally argued their respective case. Apart from oral submissions the respondent has also submitted a written argument which is nothing but a copy of his WS. However, copy of bills from the month of 11, 2022 to 09,2023 has also been enclosed with the said written argument.
7. Records available on file has been perused. Arguments heard from the parties. Both parties have admitted that NA/IDF bills were issued but there is dispute about the

period of these bills, while the petitioner submits that NA/IDF bills were issued for 13 billing cycles from 12, 2022 to 12, 2023, the respondent's submission is that NA/IDF bills were issued for 10 billing cycles only from 03,2023 to 12,2023. A perusal of consumer billing history shows that 02 NA bills were issued for the month of 03, 2023 and 04, 2023 and 08 nos. IDF bills were issued from the month of 05, 2023 to 12, 2023. Thus, it is established that 02 nos. NA and 08 nos. IDF bills were issued. Of course, issuing of 08 nos. IDF bills are in violation of UERC relevant regulation. The meter had stopped recording consumption after the bill dated 03.03.2023 for the month of 02, 2023 when final reading recorded by the meter was 238491, which was the last MU bill, where after 02 NA bills and 08 nos. IDF bills were issued. The consumer deposited check meter fee on 10.10.2023 but the check meter was not installed possibly as the meter had become defective, which was replaced on 16.01.2024 in IDF condition as per sealing certificate no. 14/1499 dated 16.01.2024 available on file by a new meter no. 9544748.

8. The respondents has averred that the bills had duly been revised in compliance to Forum order. A perusal of consumer ledger submitted by the respondent shows that a sum of Rs. 265365.00 has been adjusted in compliance to Forum order on 18.03.2025 resulting into a minus outstanding dues Rs. 238238.00 in the ledger i.e. to say that the department has to pay a sum of Rs. 238238.00 to the petitioner as a result of bill correction in compliance to Forum order as shows in consumer's ledger. As such consumer's grievance stands redressed and no further relief is admissible. Forum order is liable to upheld and needs no interference and petition is liable to dismissed as no further correction in the bills is due.


Order

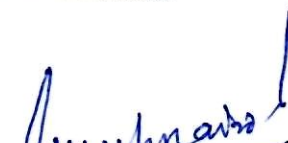
The petition is dismissed and Forum order is upheld.

Dated: 30.04.2025

Order signed dated and pronounced today.

Dated: 30.04.2025


(D. P. Gairola) 30.04.2025
Ombudsman


(D. P. Gairola) 30.04.2025
Ombudsman