

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Ayub  
S/o Akthar  
Sikandarpur Mawal, P.O. Mudlana,  
Tehsil Roorkee, Distt. Haridwar  
Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division (Rural)  
Uttarakhand Power Corporation Ltd.  
Civil Lines Roorkee, Distt. Haridwar,  
Uttarakhand

Representation No. 32/2023

**Order**

Dated: 29.09.2023

Being aggrieved with Consumer Grievance Redressal Forum, Haridwar Zone. (hereinafter referred to as Forum) order dated 06.06.2023 in complaint no. 66/2023 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division (Rural), Uttarakhand Power Corporation Ltd., Civil Lines, Roorkee, Distt. Haridwar, Uttarakhand (hereinafter referred to as respondent), Shri Ayub S/o Akthar Sikandarpur Mawal, P.O. Mudlana, Tehsil Roorkee, Distt. Haridwar (petitioner) has preferred this appeal for setting aside Forum order dated 06.06.2023.

2. The petitioner has preferred an appeal dated 10.07.2023 and subsequently he submitted an affidavit dated 29.07.2023 and further clarifications vide supplementary appeal dated 29.07.2023. The petitioner has averred as follows:

- i) The Forum has passed order dated 06.06.2023 against law and facts of the case and is therefore liable to be set aside.
- ii) That he is a farmer and has taken connection no. RD9F292720972 of PTW for irrigation. He had deposited final bill on 15.03.2022.
- iii) Meter no. 9140674 is presently installed at his aforesaid connection. Reading obtained in the meter is less and is as per actual consumption. A bill





amounting to Rs. 2,94,499.00 has been sent to him. A complaint was made to the department on 06.04.2023 against this excessive bill, wherein he had requested for correction of the bill as per meter reading shown in the meter, but no attention was given by the departmental officers on his complaint and ordered to pay Rs. 2,02,795.00. He is a poor farmer and he is below poverty line. He has therefore requested that a corrected bill on actual meter reading as shown in meter no. 9140674 be sent to him.

3. The Forum after hearing both parties and perusal of records available on case file observed that a 8 HP PTW connection for irrigation for his agricultural field is existing at his premises w.e.f. 03.06.2011. A perusal of consumer billing history also shows that MU (metered units) bills were issued till 14.03.2016, where after NR/IDF bills were issued from 25.06.2016 to 19.07.2022. The defective meter was replaced on 17.07.2022 by opposite party. The complainant has held the bill dated 19.07.2022 as disputed bill. In its written reply the opposite party apprised the Forum that bill for the month of 12/2022 was issued for a sum of Rs. 2,94,499.00, which after replacement of meter on 17.07.2022 by test lab was revised and after adjustment of Rs. 91,704.00 the corrected bill was issued for Rs. 2,02,795.00. The opposite party further submitted that the revised bill is correct and the complainant has to pay this corrected bill. In view of opposite party's submission the Forum was of the view that since the department has resolved complainant's problem so his complaint is liable to be disposed off and accordingly the Forum ordered on 06.06.2023 that since the problem of the complainant has been resolved by the opposite party the complaint is disposed off.
4. The respondent, Executive Engineer has submitted his written statement along with an affidavit under oath vide letter no. 2974 dated 08.08.2023 wherein he has submitted as follows. At the outset he has submitted that a complaint was made by the petitioner before the Forum against the bills for his connection no. RD9F292720972. The grievance of the consumer was duly redressed. Point wise reply has been submitted as under
  - i) A 8 HP connection no. RD9F292720972 for PTW was released to the petitioner on 03.06.2011 by installing a meter no. 307812 at initial reading 1.





- ii) On consumer's complaint the existing meter was replaced by a new meter no. 354630 at reading 3214 on 13.06.2014. This meter was installed in consumer's presence. The removed meter was showing no display and as it was of old model its MRI could not be done.
- iii) On petitioner's complaint dated 11.07.2022 on toll free number 1912, complaint no. 21107220124. Another meter no. 9140674 was installed at initial reading 01 on 17.07.2022. Reading in the old removed meter was 101488 and its terminal plate was found burnt also MRI could not be done due to MRI port having been defective.
- iv) Petitioner's bill for the month of 12/2022 was revised from Rs. 2,94,499.00 to Rs. 2,02,795.00, thus adjustment of Rs. 91,704.00 was allowed, on 24.01.2023 based on the meter reading and actual consumption found in the old meter on 17.07.2022 when it was replaced by a new meter no. 9140674.
- v) The initial reading in the meter installed on 13.06.2014 was 3214 and final reading in this meter on 17.07.2022 was 101488 so the petitioner's total consumption in 97 months was 98274, thus average monthly consumption was 1013 units. His agricultural land is 30 bighas.
- vi) Against his sanctioned load of 8 HP he has been using 19 HP load as per MRI report. Earlier also he was using load in excess of his contracted/sanctioned load.
- vii) The petitioner made last payment on 15.03.2022.
- viii) As per MRI of the present meter no. 9140674 for the month of 06/2023 the consumption reading was 3195, dues against this were Rs. 7,194.80 and adding LPS Rs. 7,548.00 plus old arrears Rs. 2,02,795.00 the total outstanding dues against the petitioner ending 06/2023 are Rs. 2,17,539.00. As the bills have been issued on actual metered consumption the petition is liable to be dismissed.

He has corroborated his statement with copies of supporting documents wherever mentioned.





5. The petitioner has submitted a rejoinder dated 18.08.2023 followed by an affidavit on oath dated 25.08.2023 and another submission dated 26.08.2023. He has submitted his replies as follows:

- i) The written statement submitted by the respondent is based on baseless contentions and is liable to be quashed.
- ii) Respondent's averment that 8 HP connection for his PTW is in use since 03.06.2011 and bills till 14.03.2016 were issued on MU which is a false submission. They have shown a fictitious meter no. 354630 to have been installed on 13.06.2014 which is not in his name. Further he had argued that if the said meter no. 354630 was in his name then why bills from 2011 to 2016 were issued on the basis of maximum consumption, such being the case his appeal is liable to be allowed.
- iii) He had written a letter to the respondent Executive Engineer on 30.08.2022 regarding the complaint of a meter reader who had demanded Rs. 20,000.00 from him, which was refused by him and next day his meter was removed from the site without any information and some other meter belonging to someone else was installed at his tube well, so a fictitious sealing report dated 13.06.2014 was submitted, which can be verified from the bill dated 28.11.2014 in which meter no. was mentioned as 307812. The reading in the present meter no. 9140674 is 9392 and he is ready to pay the bill on this reading. His appeal should therefore be allowed in the interest of justice.

Contentions of his letter dated 26.08.2023 are merely repetition or reiteration of the contentions of his rejoinder.

6. Hearing in the case was held on 11.09.2023. The petitioner himself appeared and argued his case. He submitted that meter no. 354630 claimed by the respondents to have been installed at his PTW connection on 13.06.2014 was never installed at his PTW connection. His connection was released on 03.06.2011 by installing meter no. 307812 and which was replaced by meter no. 9140674 vide sealing certificate dated 17.07.2022 and meter no. 354630 claimed by the respondent to have been installed at his premises on 13.06.2014 was never installed at his premises. During hearing the respondent was represented by Shri Manoj Agarwal AE(R) who submitted that meter





no. 354630 was installed in place of old meter no. 307812 vide sealing certificate dated 13.06.2014 but it could not be fed into the billing system. Arguments were concluded and 29.09.2023 was fixed for pronouncement of judgment.


7. Records available on file were perused. It is found that the connection was released on 03.06.2011 by installing a meter no. 307812 as per billing history. A perusal of sealing certificate dated 13.06.2014 shows that the original meter no. 307812 was replaced by a new meter no. 354630. The sealing certificate dated 17.07.2022 also shows that the original meter no. 307812 was replaced by a new meter 9140674. It is strange to see that how the original meter no. 307812 which had already been shown replaced by a new meter 354630 vide sealing certificate dated 13.06.2014 has again been shown as replaced by another meter 9140674 vide sealing certificate dated 17.07.2022, so petitioner's claim that meter no. 354630 was never installed at his premises and this sealing certificate is a fictitious one proves to be correct and respondent's claim that although the said meter 354630 was installed vide sealing certificate dated 13.06.2014 fails. Further in view of the fact that no meter change on 13.06.2014 appears in billing history, further no bill as are available on file shows meter no. 354630. Bills only shows meter no. 307812 (the original meter installed on 03.06.2011) in the bill for the period 31.10.2014 to 28.11.2014. If meter 354630 was actually installed on 13.06.2014 then meter no. in this bill should have been 354630 instead of 307812, which also confirms that the said meter no. 354630 was never installed at consumer's premises on 13.06.2014. Further all other bills available on the file contains meter no. 9140674 installed vide sealing certificate dated 17.07.2022 which again confirms that meter no. 354630 was never installed at petitioner's premises.
8. In view of above facts of the case it is established beyond doubt that meter no. 354630 was never installed at the petitioner's premises and petitioner's submission that it was not installed at his premises and it is a fabricated sealing certificate proves to be correct and respondent's claim that the said meter was installed fails. Such being the case respondents are directed to revise the disputed bill of 12/2022 on the basis of actually metered consumption recorded in the meter no. 307812 installed on 03.06.2011 at the time of release of connection and meter no. 9140674 installed vide sealing certificate dated 17.07.2022 in place of the old existing meter no. 307812. The revised bill may be issued after adjustment of payments made by the petitioner against





the bills issued in past and without levy of any LPS. The petition is allowed. Forum order is set aside.

Dated: 29.09.2023

  
(Subhash Kumar)  
Ombudsman