

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Bhagwan Singh
S/o Shri Thakur Singh
C/o Shri S.S.Negi,
Village Shankarpur (Sahaspur),
P.O. Kaichiwala, Dehradun, Uttarakhand

Vs

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

Representation No. 02/2023

Order

Dated: 03.03.2023

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 06.12.2022 in his complaint no. 102/2022 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Vikasnagar, Dehradun (hereinafter referred to as respondent) Shri Bhagwan Singh S/o Shri Thakur Singh, Village Shankarpur, Sahaspur, P.O. Kaichiwala, Dehradun has preferred the instant petition for revision of bills on actual consumption recorded by the meter.

2. The petitioner has averred that a 4 KW connection no. VN21624564891 under domestic category was released at his premises on 07.07.2022 at a initial reading of 6252. Copy of sealing certificate was however not given to him. First bill for the period 07.07.2022 to 19.08.2022 (43 days) was received for Rs. 29,871.00 for 4523 units. After receiving this bill for excessive amount, he requested the respondent for check meter study, check meter was installed on 24.08.2022 and finalized on 08.09.2022, no difference in consumption recorded by the two meters was found. Second bill for the period 19.08.2022 to 18.10.2022 (59 days) was received for 2400 units. Arrear of last bill has also been shown in this bill. Consumption in this bill has been shown 9 units only, but has been billed for 2400 units. He approached JE/SDO, MRI was got done. It was informed that high consumption is due to leakage.


Complaint was lodged before the Forum on 01.11.2022. The Forum passed order directing the Respondent to revise the bill from 07.12.2022 till date on the formula LDHF. The actual recorded consumption by the meter from 07.07.2022 to 17.12.2022 was 6962 units, according to the petitioner. He has submitted that he is not satisfied with Forum order directing revision of the bill from 07.07.2022 to 17.12.2022 on LDHF formula. He has requested that bill for the period 07.07.2022 to 17.12.2022 be ordered to be revised on actual consumption of 6962 units recorded in the meter in the aforesaid period.

3. The Forum after hearing and perusal of the records passed its order on 06.12.2022 directing the opposite party to withdraw the issued bills and issue a revise bill for the entire period from 07.07.2022 till date as per LDHF formula.
4. Respondent, Executive Engineer has submitted his written statement vide letter no. 227 dated 27.01.2023. He has submitted that connection no. VN24624564891 for 4 KW under domestic category was released on 07.07.2022 at initial meter reading 6252. A check meter was installed on petitioner's premises on his request on 24.08.2022 and finalized on 08.09.2022. No difference between the consumption of 2 meters was found. The petitioner filed a complaint before the Forum on 01.11.2022 against excessive bills. The complaint was registered at no. 102/2022 before Forum. He has further stated that bills were issued on the basis of meter readings. Construction work was also going on at consumer premises. the Forum vide their order dated 06.12.2022 directed to issue a revised bill from 07.07.2022 till 17.12.2022 (the date of replacement of meter) on the basis of LDHF formula. The respondents in compliance to Forum order revised the bill and according to revised bill the total dues payable has been worked out as Rs. 59,995.00.
5. The petitioner has submitted a rejoinder dated 07.02.2023. No new facts of the case have been adduced in the rejoinder.
6. Hearing in the case was held on 27.02.2023. Both parties appeared and submitted their respective arguments. Records available on file have been perused. It is found that the connection was released on 07.07.2022 at initial reading of 6252. Check meter was installed on petitioner's request and there was found no difference of consumption recorded by the two meters, therefore veracity of consumer's existing meter is established. A checking at the premises of the consumer was carried out by



the respondent on 21.11.2022, when the reading in the meter was found 13174. Consumer's meter was replaced vide sealing certificate no. 37/2003 dated 17.12.2022 under the instructions of Forum, when final reading in the existing meter was observed as 13214. It is therefore clear that total 6962 units (13214 – 6252) were consumed by the petitioner from 07.07.2022 to 17.12.2022 and he is therefore liable to pay for 6962 units for the aforesaid period. Forum order for revision of the bill on the basis of LDHF formula is not consistent with regulations, as this formula is applied for assessing the energy consumption in case of unauthorized use of electricity (section 126) and theft of electricity (section 135). It is not a case of section 126 or section 135 but it is only a case where correct bills were not issued as per meter readings appearing in the meter, whose veracity is established. The respondents are therefore directed to issue a revised bill for the period 07.07.2022 to 17.12.2022 by uniformly distributing the total consumption of 6962 units over the aforesaid period on appropriate tariff and without levy of any LPS and after adjustment of payments made by the petitioner, if any. Petition is allowed. Forum order is set aside, not being consistent with relevant regulations.

Dated: 03.03.2023


(Subhash Kumar)
Ombudsman