

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Surendra Singh  
S/o Shri Rajendra Singh,  
House no. 160/03, Near Bank of Baroda,  
Awas Vikas Colony, Rudrapur,  
Distt. Udham Singh Nagar, Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division - I,  
Uttarakhand Power Corporation Ltd.  
Rudrapur, Distt. Udham Singh Nagar,  
Uttarakhand

Representation No. 48/2023

**Order**

Dated: 23.02.2024

Being aggrieved with Consumer Grievance Redressal Forum, Udham Singh Nagar Zone, (hereinafter referred to as Forum) order dated 26.10.2023 in complaint no. 204/2023-24 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division – 1, Uttarakhand Power Corporation Ltd., Rudrapur, Distt. Udham Singh Nagar, Uttarakhand (hereinafter referred to as respondent), Shri Surendra Singh S/o Shri Rajendra Singh House no. 160/03, Near Bank of Baroda Awas Vikas Colony, Rudrapur, Distt. Udham Singh Nagar (petitioner) has preferred this appeal for revision of bill, w.e.f. 06.01.2014.

2. In the instant appeal dated 22.11.2023 the petitioner has averred that he has preferred a complaint no. 204/2023-24 before the Forum for revision of his disputed bill in respect of his domestic connection no. 897B119136390 for 5 KW load installed at his residence no. 160/03, Near Bank of Baroda, Awas Vikas Colony, Rudrapur. He is not satisfied with Forum order dated 26.10.2023 passed in his aforesaid complaint before the said Forum. His meter was installed on 06.01.2014. He has requested that the matter may be got investigated in the interest of justice. In his supplementary application dated 14.02.2024 he has requested that adjustment may be allowed w.e.f. date of installation of meter 06.01.2014.



3. Relying upon respondent's report dated 25.10.2023 submitted before the Forum in which it was reported that a check meter was installed at consumer's premises on 22.09.2023 on consumer's request, which was finalized on 01.10.2023. In this checking the old installed meter no. 357082 was found running fast by 173%. Based on check meter report consumer's bill up to the month of 10/2023 was manually revised, according to which a sum of Rs. 99,963.00 were credited to consumer's account. As an evidence calculation of the corrected bill and consumer billing history was adduced before the Forum. In view of aforesaid report Forum was of the view that since the complaint of the consumer has duly been redressed by the department, the Forum disposed off the complaint vide its order dated 26.10.2023.
4. The respondent Executive Engineer has submitted his written statement dated 26.12.2023 along with affidavit under oath wherein he has submitted point wise reply as follows:
- i. His name and address is correct.
  - ii. This affidavit is being submitted in respect of connection no. 897B119136390 of Shri Surendra Singh S/o Shri Rajendra Singh in his appeal no. 48/2023 before Hon'ble Ombudsman.
  - iii. The aforesaid connection was released on 01.11.2007.
  - iv. Petitioner's meter no. 357082 was replaced on 06.01.2014 being IDF.
  - v. The consumer applied for a check meter on 19.09.2023.
  - vi. Check meter fee was deposited by him on 19.09.2023, check meter no. 8894632 was installed at his premises on 22.09.2023.
  - vii. Check meter was finalized on 01.10.2023. The old meter was found running fast by 173%.
  - viii. Based on check meter report the old meter was replaced by check meter as a main meter.
  - ix. He lodged a complaint no. 204/2023-24 before the Forum for correction of his bill based on check meter report.
  - x. Based on check meter report adjustment for Rs. 1,07,499.00 for a period of last 1 year was given manually. A report was also submitted to the Forum.
  - xi. At present bills are being issued on actual meter reading in the meter and which are correct. As per bill for the month of 12/2023 (up to 15.12.2023) the total dues against the consumer are (-) Rs. 92,839.00.





He has substantiated his submissions with a copy of consumer ledger for the period 01.04.2023 to 26.12.2023, consumer billing history from 03/2011 to 12/2023.

5. The petitioner has submitted a rejoinder dated 31.01.2024 along with an affidavit. He has stated that all the facts of the case has been mentioned in his enclosed affidavit. Respondent has not mentioned anything about adjustment from 08.01.2014. As per check meter study conducted by department, his old meter was running fast by 173%, adjustment has been given only for last one year while in his appeal he has requested adjustment from 08.01.2014 so adjustment be ordered to be allowed from 08.01.2014. The same facts have been mentioned in his affidavit.
6. Hearing in the case was held on pre-decided date 16.02.2024. The petitioner submitted email dated 16.02.2024 wherein he has mentioned that he was unable to attend hearing due to health conditions and has requested that his case be decided on the basis of documents already submitted. The respondent was however represented by Shri Satish Chandra Joshi AE(R) and Shri Ajay Megrigar TG (I). Arguments were concluded and 23.02.2024 was fixed for pronouncement of judgment.
7. After hearing arguments and perusal of records available on file it is found that on the application of consumer and depositing check meter fee on 19.09.2023 a check meter was installed on 22.09.2023, which was finalized on 01.10.2023, consumer's existing meter was found running fast by 173% so adjustment of Rs. 1,07,499.00 on the basis of check meter study was allowed for last 1 year up to 10/2023 and after allowing this adjustment net amount to the credit of the consumer up to the monthly of 12/2023 has been worked out as (-) Rs. 92,839.00 to his credit. The figures of adjustment of Rs. 1,07,499.00 and closing balance Rs. (-) 92,439 are duly reflected in consumer's ledger as well as in his billing history. There is no dispute about check meter report as the respondents have already allowed adjustment as aforesaid and agreeing to this the Forum disposed off the complaint vide its order dated 26.10.2023 in complaint no. 204/2023-24. The petitioner has however requested that adjustment on the basis of fast running of meter by 173% as per check meter study should have been allowed w.e.f. 06.01.2014 the date of installation of the old meter found running fast. Since there is no provision in relevant UERC regulation 2020 which under sub regulation 5.1.3 (10) (a) provides that adjustment for a maximum period of 12 months can only be allowed for fast running of meter and the adjustment allowed by the petitioner and

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upheld by the Forum is consistent with the aforesaid regulation and no further relief beyond 12 months is admissible under regulations, so petitioner's request for allowing adjustment on the basis of check meter study w.e.f. 06.01.2014, the date of installation of old meter cannot be acceded to and the same is hereby rejected.

8. Such being the case there appears no ground to interfere with Forum's order dated 26.10.2023 passed in complaint no. 204/2023-24 and the same is upheld. The petition is dismissed.

Dated: 23.02.2024

  
(Subhash Kumar)  
Ombudsman