

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri T.S. Rana,
S/o late Shri Chatar Singh Rana,
R/o Rana Cottage, Camelback Road
Mussoorie, Dehradun, Uttarakhand

Vs

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

Representation No. 33/2024

Award

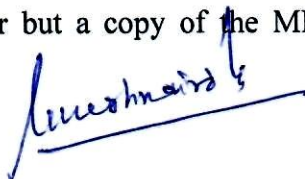
Dated: 30.04.2025

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 29.07.2024 in complaint no. 177/2023 by which Ld. Forum has dismissed the complaint of appellant Shri T.S. Rana, S/o late Shri Chatar Singh Rana, R/o Rana Cottage, Camelback Road, Mussoorie, Dehradun, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (North), Uttarakhand Power Corporation Ltd., 18 E.C. Road, Dehradun, Uttarakhand (hereinafter referred to as respondent).

2. The petitioner, Shri T.S. Rana, has preferred a instant petition dated 14.08.2024 followed by a subsequent representation dated 09.09.2024 wherein certain corrections and further facts have been averred. The petitioner has averred that a complaint no. 177/2023 was preferred before CGRF, Dehradun. A rooftop solar plant was installed by him at his house through UREDA in the year 2017. Since then only 03 reading were taken by the respondents from 2017 to October 2023. On his repeated requests reading was taken on 19.08.2023. A surplus bill for Rs. 31902.00 was issued to him but payment was not made and no cognizance was taken. All of a sudden a bill for Rs. 70849.00 was given to him on 29.11.2023. Having received the bill he asked the department for MRI of the meter but a copy of the MRI was not made available

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neither it was informed that when the MRI was done. Reading on the meter no. 32724526 was 26026 and that on the meter no. 7025362056980 of solar plant was 25779. Difference of the readings of both the meters was 247. Payment of which was to be made but suddenly bill for Rs. 70849.00 was issued which was wrong. He approached District UREDA officer for finding out the real status. The said officer asked the J.E. on phone that some technical person be deputed for verification.

3. He has also confirmed that no case on the same issue is pending either in any Forum or any Court. But in case his grievance is not redressed by the department he may approach to Court/ Forum. A 10 Rs. stamp paper is also enclosed. A copy of complaint filed before Forum has also been adduced. Documents regarding bills were not submitted by the department before the Forum. The petitioner has prayed that cognizance of the averments made by him be taken in the interest of justice so that he may not have to approach the Court/ Forum. The Forum in its order has mentioned that the complainant was directed during hearing on 16.05.2024 that a joint inspection of his rooftop solar plant be got done in the presence of opposite party and for that he should contact the vendor who has supplied the plant and date of joined inspection be fixed but even after repeatedly contacting the complainant to inform the date of joint inspection but no satisfactory reply was given by him which suggests that the complainant does not want any further action in his complaint. So the Forum was of the opinion that the complaint is liable to be dismissed for complainant's negligence and therefore the Forum accordingly dismissed the complaint no. 177/2023 vide its order dated 29.07.2027.
4. The respondent has submitted a written statement vide his letter no. 3628 dated 24.09.2024 wherein point wise reply has been submitted as follows:-

- i. Consequent upon installation of rooftop solar plant by the consumer Shri Tapendra Singh Rana on his connection no. 7025224056980. A solar meter (initial reading import 01, export 01) was installed at his premises in place of old meter (last reading 26894) on 23.10.2017. The change of meter was duly fed online system on 23.11.2017. The solar meter was duly configured on 26.11.2018 by Assistance Engineer, Revenue. Efforts were made to generate the bill on the basis of solar reading but due to system error the initial reading of the meter was shown 26333. So, the bills were processed on NA.

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- ii. By default bills were issued from final reading 26833 of the old meter while the bills should have been generated on initial reading 01 of the new meter. Efforts were made by the Sub Division Office to generate bills on actual import export energy as per MRI of solar meter but MRI could not be done due to some technical defect in MRI software. So, Sub Division Office asked A.E. Meter through a letter to get MRI available efforts of Test Division could not succeed for non-availability of MRI software. Where after MRI could not be done due to Corona. After getting MRI report on 04.07.2023 of the solar meter right from 23.10.2017 (the date of installation of solar rooftop plant) till 26.09.2023. According to which the actual energy (import 24174 units export 10760) the bills were issued on actual readings by equally dividing the total import export energy without levy of surcharge and the revised bills was sent to the consumer for a sum of Rs. 61567.00.
- iii. A copy of MRI report was also sent to the consumer as per point no. 02 above.
- iv. As per MRI report received from Test Division, readings on 30.04.2024 were (import 28737, export 10937) which shows a difference of 17800.
- v. Pertains to UREDA.

A copy of revised bill has been adduced. Respondent has further averred that at present bills based on actual consumption are being regularly issued. The respondent has also submitted an affidavit.

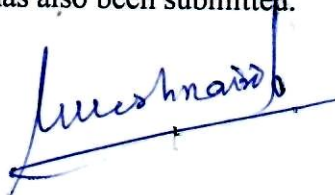
5. The petitioner has submitted a rejoinder dated along with affidavit on 11.10.2024. He has submitted on oath that:-

- i. The solar plant was installed in the year 2017 by UREDA. Solar meter no. 7025362056980 was installed by the department on 23.11.2017. The installed meter no. 32724526 was showing reading 26894. Payment upto that reading was duly made and no outstanding dues were balanced that time for payment.
- ii. Reading on meter no. 32724526 in the month of September, 2024 was 31961. Reading in the meter on 23.11.2017 was 26894. Payment of 5067 units was due for payment from the year 2017 to September, 2024.
- iii. Reading on the solar plant meter no. 7025362056980 was 31671.
- iv. 11263 units were transferred to the department from the solar plant. From the year 2017 to September 2024 11263 units were transferred to the department



and 5067 units were taken from the department during the said period so, payment for excess 6196 units was to be paid by him by the department.

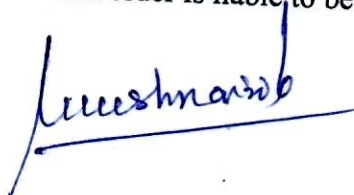
- v. The department has claimed a sum of Rs. 30351.00 from him from March 2024 to August 2024 while Rs. 75350 were paid to the department during the said period in 04 installments.
 - vi. The solar plant of 04 KW capacity installed in the year 2017 is generating 10 units per day on an average and the plant is working correctly.
 - vii. The SDO Mussoorie admitted orally that the meter reader engaged from UPNL has made some mistake in taking the meter reading. The petitioner has requested that payment of 6196 units be made to him by the department and further Rs. 75350 be got refunded to him in the interest of justice.
6. The petitioner as submitted yet another affidavit dated 06.12.2024. No new facts have been averred except that he admitted that payment of Rs. 32587.00 was made to him on 16.01.2021 through bank as per entry in the passbook. Further another affidavit dated 02.01.2025 was also submitted by the petitioner in which giving details of dues demanded from him as well as payment made by him he has claimed that a sum of Rs. 90558.00 is payable to him by the department in the interest of justice.
 7. SDO concerned has submitted a statement vide his letter no. 247 dated 07.01.2025 on behalf of the respondent which is nothing but a reiteration of respondent's WS submitted vide letter no. 3628 dated 28.09.2024 which has already been mentioned above in this above.
 8. The petitioner has submitted yet another affidavit dated 05.02.2025 in which he has claimed that a sum of Rs. 94397.00 is due to be paid to him by the department. A copy of power purchase agreement signed between UPCL and Shri T.S. Rana regarding supply of energy from his solar plant to UPCL.
 9. The respondent has submitted a written argument vide letter 297 dated 27.02.2025 in which details of energy consumption prior to installation of solar plant as well as energy import and export details after installation of solar plant. A letter no. 305 from SDO dated 04.03.2025 is also available on file. Details of import and export of energy and energy billing report has also been submitted.



10. Hearing in the case were held repeatedly. The final hearing was held on 09.04.2025. AE (R) appeared on behalf of respondent while the petitioner did not come but has sent a written argument dated 07.04.2025. The arguments were concluded order was reserved. All records and documents submitted by parties as are available on file have been perused. Arguments were heard from parties on different dates of hearing. It is borne out that a 02 KW domestic connection was released on the premises of the petitioner on 18.05.1993. A rooftop solar plant under an agreement was installed at petitioner's premises on 23.10.2017. A new import export meter at initial reading 01 was installed at consumer's premises on the same day i.e. 23.10.2017 and the old meter was removed on the same day at final reading 26894. However, the change of meter was advised to the system on 23.11.2017 and it was configured on 26.11.2018.
11. The consumption details prior to installation of solar plant from 08.12.2015 to 06.06.2017 has been given by the respondent from reading 17630 to 26333. By default, bills were issued on the consumption obtained on 06.06.2017 as 26333 by the old meter while these bills should have been issued on the readings of import export meter starting from initial reading 01. On receipt of import export consumption as per MRI report from Test division on 04.07.2023 for the period 23.10.2017 to 26.09.2023 showing actual import 24174 unit and export 10760 units. A revised bill without LPS for Rs. 61567.00 was issued. After adjustment of solar energy charges from 31.10.2020 and total dues payable by the consumer shown as 61567 on 04.11.2023 as per following details of consumer ledger.

Date	Transaction	Remarks	Reference	Debit	Credit	Balance
31.10.2020	Receipt_Auto	3110200	SolarenergyChg	0	33,733.00	-32,587.00
31.10.2021	Bill	3110210	3.84822E+16	685	0	-31,902.00
19.08.2023	Bill	1908230	2.94822E+16	2,543.00	0	-29,359.00
19.08.2023	Receipt_Auto	1908230	SolarenergyChg	0	1,958.91	-31,317.91
26.09.2023	Bill	2609230	2.94822E+16	139.91	0	-31,178.00
26.09.2023	Rebill	2609230	2.94822E+16	0	139.91	-31,317.91
26.09.2023	Bill	2609230	2.94822E+16	139.91	0	-31,178.00
26.09.2023	Receipt_Auto	2609230	SolarenergyChg	0	0	-31,178.00
04.11.2023	Adjustment	2.84133E+18	Bill correction 23/10/17 to 26	92,745.00	0	61,567.00

12. Above details shows that in the month of October 2020, a credit of Rs. 33733.00 for solar energy exported by the petitioner was given and net amount is shown as -32587.00. This amount was paid to the petitioner in the month of January 2021, which is also confirmed by the bank statement so, cost of the total energy exported by the petitioner was paid to him.
13. It is also observed from the consumer ledger that after 04.11.2023, the consumer has made the payments of Rs. 18000.00 on 06.03.2024 Rs. 23000.00 on 10.04.2024, 17350.00 on 09.05.2024, 7000.00 on 14.06.2024, 17000.00 on 17.08.2024 and Rs. 47300.00 on 21.01.2025 when nothing was outstanding against him. After that as per ledger he paid Rs. 7554.00 on 10.03.2025 and closing balance against him on 21.03.2025 was only Rs 5208.00. It has also been revealed that bills for net energy i.e. energy imported minus energy exported have been issued which are in conformity with the agreement. Meter readings recorded in the import export meters till 13.01.2025 when MRI was done are inconformity with MRI report. As the cumulated energy imported upto the bill of 24.02.2025 bill was 34432 and cumulative exported was 11338 units so total net energy imported till 24.02.2025 was 23094 units and the bills have accordingly been issued and paid by the petitioner as exhibited in the ledger. His claim that 03 negative bills towards excess energy export are payable to him is false and is merely an apprehension. Ledger shows that whenever his export was more than the import credit was duly given to him and which is also confirmed from the bank statement. So nothing is payable to him contrary to that a sum of Rs. 5208.00 is outstanding against him as on 21.03.2025 as per ledger after adjustment of payments made by him as per ledger and as also after payment of energy exported by him.
14. It is worthwhile to mention here that as mentioned in Forum order his complaint was dismissed due to lack of persuasion of his case (अदम पैरवी) and further while he has been claiming that payment of 03 negative bills is due to him. He has been making payments of all the bills with the result that only a meager sum of Rs. 5208.00 is outstanding after adjustment of payment by him.
15. In view of above facts of the case based on documentary evidences, the petition is liable to be dismissed. Forum order is liable to be upheld.




Order

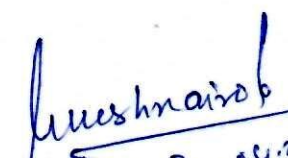
Forum order is upheld. Petition is dismissed.

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