

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Lakshmi Narayan Saxena
S/o Late Shri Jeevan Lal Saxena,
Singh Colony, Gali no. 2,
Rudrapur, Distt. Udham Singh Nagar,
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Second),
Uttarakhand Power Corporation Ltd.
Rudrapur, Distt. Udham Singh Nagar,
Uttarakhand

Representation No. 28/2021

Order

Dated: 30.11.2021

Being aggrieved with Consumer Grievance Redressal Forum, Udham Singh Nagar Zone (hereinafter referred to as Forum) order dated 23.08.2021 in his complaint no. 26/2021-22, before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division (second), Rudrapur (hereinafter referred to as respondent) Shri Lakshmi Narayan S/o Shri Jeevan Lal 22, Rudra Vihar, Rudrapur has preferred this appeal for setting aside the arbitrary inflated bill for Rs. 47,682.00.

2. The petitioner has preferred appeal dated 18.09.2021. He has submitted that he is a resident of Singh colony, Street no. 2, Rudrapur, Distt. Udham Singh Nagar and is having a domestic connection no. RU2AA76077282, his existing old meter was replaced by a new meter in the year 2018. He is getting RDF bills since 2018 for 600 units per two months. He has been paying the bills regularly but an inflated bill for Rs. 47,682.00 has been sent to him by UPCL in the month of June 2021. Not getting proper relief from the department he filed a complaint before the Forum, which was registered as complaint no. 26/2021-22. The Forum decided his complaint vide their order dated 23.08.2021. Even after decision of the Forum in his favour, the respondents have not corrected his bill. He applied for check meter and fee Rs. 95.00 was deposited on 31.07.2021. RDF bills were sent arbitrarily. Being a senior citizen

of 73 years of age, a ret'd. employee from sugarcane department and having ill-health is unable to deposit the amount of the bill which is wrong and the department is harassing him unnecessarily. He has requested that the arbitrary bill amounting to Rs. 47,682.00 be ordered to be set aside.

3. The Forum after perusal of the records observed that as per billing history from 27.02.2018 to 30.04.2018 NA bills for 31612 units and thereafter from 28.06.2018 to 13.04.2021 RDF bills @ 600 units per 2 months issued by the respondent i.e. from 27.02.2018 to 13.04.2021 NA/RDF bills were issued. All bills as received till 15.12.2020 have duly been paid by the consumer. A consolidated bill for 30917 units including the consumption recorded by the old meter up to the reading 31612 and for 20609 units recorded by the new meter was issued on 11.06.2021. Billing history shows meter change on 20.10.2020 while its entry in the ledgers is shown on 24.04.2021. Billing history also suggests that the old meter was replaced on 27.02.2018, but still NA/RDF bills continued to be issued. It has also been noted that the sealing certificate for replacement of meter was not timely fed to the system and the meter reader has been submitting readings on assessment basis due to which RDF bills were issued. Due to all these irregularities a consolidated bill for accumulated consumption was issued on 11.06.2021. Having observed as such the Forum was of the view that treating meter change on 27.02.2018 a revised bill for the period 27.02.2018 to 11.06.2021 by uniformly distributing the total energy billed in the consolidated bill dated 11.06.2021 be issued on appropriate tariff without levy of LPS and after adjustment of the payments made. The Forum therefore accordingly passed order and allowed the complaint.
4. The respondent, Executive Engineer submitted his written statement vide letter no. 2066 dated 18.10.2021 wherein he has stated that due to non updating the change of meter which was installed in the year 2018 RDF bills continued to be issued for 300 units per month. After updating change of meter on 20.08.2021 a consolidated bill for the period 25.02.2018 to 26.06.2021 for total recorded units (metered units on appropriate tariff after dividing the total consumption uniformly was issued on 17.07.2021 for Rs. 47,682.00 after adjusting Rs. 1,04,670.00. Not being satisfied with the bill he approached the Forum. The Forum was informed that as the meter change was not updated bill up to 26.06.2021 were issued for an amount of Rs. 1,52,352.00

which was revised on appropriate tariff for Rs. 47,682.00. The Forum decided the complaint no. 26/2020-21 (the correct complaint no. is 26/2021-22) vide their order dated 23.08.2021. A perusal of the order suggests that the aforesaid bill revision is in conformity with Forum order. Check meter has since been installed on the consumer's request which is yet to be finalized. Further he has submitted that the total outstanding dues ending October 2021 against the consumer are Rs. 68,238.00 as no payment has been made after 03.02.2021. He has corroborated his submissions with a copy of calculation of bill revision, billing history from 02/2011 to 10/2021, copy of ledger.

5. The petitioner has submitted a rejoinder dated 02.11.2021. No new facts other than what has been mentioned in petition has been given in rejoinder, it is merely a reiteration of the contents of the petition.
6. Hearing was fixed for 22.11.2021. The petitioner sought exemption from personal appearance for hearing vide his letter dated 13.11.2021 in view of his ill health and old age of 73 years. The respondent was however represented by AE (R) who argued his case and submitted that the bill has already been revised in accordance with Forum order after allowing adjustment of Rs. 1,04,670.00 on account of RDF and NA bills issued from 02/2018 to 04/2021 due to non updation of meter change to the system and after allowing the aforesaid adjustment the gross amount of the bill Rs. 1,52,352.00 till 06/2021 has been reduced to Rs. 47,682.00. Due to nonpayment by the petitioner after 03.02.2021 the amount of outstanding dues has increased to Rs. 68,238.00 till the month of 10/2021.
7. Documents available on file has been perused. Arguments from the respondents were heard. It is found that NA and RDF bills were continued to be issued from 02/2018 to 04/2021 i.e. for a period of more than three years continuously which is a gross violation of the regulations. The respondent's concerned officers/officials are responsible for this irregularity due to which bill for Rs. 1,52,352.00 was accumulated for a period of these three years. Issue of NA and RDF bills while the meter was in working order but was not updated to the system. The respondent have however revised the bills and allowed the adjustment of Rs. 1,04,670.00 and the amount of the bills for this period has reduced to Rs. 47,682.00. The Forum has also issued order for revision of the bills as the bills have already been revised by the respondent as has been ordered by the Forum, no further action for revision of the bills was required.

Forum has allowed the complaint. Whereas desired correction in the bills as per actual metered units recorded by the new meter installed on 27.02.2018 has already been done which are in conformity with Forum orders, no further relief in the bills is admissible and the petitioner is liable to pay the corrected outstanding dues as are obtaining till date. Forum order is upheld. The petition is disposed off.

7. The respondent's competent authority is directed to examine the matter for not updating the meter status i.e. change of meter to the system for a long period of more than three years and issue of NA and RDF bills for such a long period and identify the erring officers/officials for committing this irregularity/mistakes and necessary administrative action against them be taken as per departmental rules. Compliance of these instructions be reported within 3 months from the date of this order.

Dated: 30.11.2021

(Subhash Kumar)
Ombudsman