

## THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Jayanand Nautiyal  
S/o Late Shri Ramanand Nautiyal  
Village Virod, Patti Lalur Johnpur,  
P.O. Mayani (Jagdaar), Tehsil Nainbagh,  
Distt. Tehri Garhwal, Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division,  
Uttarakhand Power Corporation Ltd.  
New Tehri, Uttarakhand

Representation No. 30/2021

### **Order**

**Dated:** 30.12.2021

Being aggrieved with Consumer Grievance Redressal Forum, Uttarkashi/Tehri Zone (hereinafter referred to as Forum) order dated 08.09.2021 in his complaint no. 23/2021, before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division, Uttarkashi (hereinafter referred to as respondent) Shri Jayanand Nautiyal S/o Late Ramanand Nautiyal village Virol Patti, Distt. Tehri (the petitioner) has preferred the instant petition for correction of his bills based on metered units.

2. The petitioner has submitted that a connection for his domestic use was released in the year 2019 (as per records available on file connection no. TH14N15133746 was released on 18.12.2018 for 1 KW load with installation of meter no. U319136). He has submitted that he has a house of only 1 room where only 2 bulbs are used for which bill for 60-70 rupees should have been issued but bill for Rs. 8,000.00 has been issued, which he is not able to pay. No staff from the department ever comes for taking meter readings but a private person Shri Vijendra Singh comes for taking the readings. The Forum in his order dated 08.09.2021 passed in his complaint have reduced the bill from Rs. 12,086.00 to Rs. 4,046.00 which had duly been paid on 04.03.2021. He has requested that bills be got corrected as per actual meter readings.

He has corroborated his averments with documentary evidences viz. complaint before Forum, copy of Forum order, affidavit, bills.

The petitioner subsequently submitted a supplementary petition on 28.10.2021 wherein apart from his submissions in the original petition, he has submitted that he had applied for check meter so that accuracy of the meter may be tested and bills may be revised/corrected accordingly.

3. The petitioner (complainant before the Forum) had filed a complaint before the Forum against inflated bills of Rs. 12,086.00. The opposite party (UPCL) submitted before the Forum that the issued bill is correct and had been issued on meter reading obtained in the meter. The Forum after perusal of records and hearing the parties observed that the issued bill is correct as has been issued on metered unit and therefore, concluded that the complaint does not sustain, having observed as such and relying on the records and submissions, submitted by the opposite party, the Forum dismissed the complaint.
4. The respondent, Executive Engineer submitted a written statement on 18.11.2021, wherein he has stated that the petitioner has applied for a connection on 06.12.2018, connection was released at his premises on 18.12.2018 through a cable and installing a meter. The first bill amounting to Rs. 386.00 was issued on 16.01.2019. The first payment for Rs. 850.00 was made by him on 11.12.2019 against his fifth bill. The accumulated amount of the fifth bill was Rs. 849.00, where after Rs. 3,503.00 were paid on 12.06.2020 against the bill for the month of 05/2020. In the meeting of the Forum held on 18.02.2021 in division office, the petitioner submitted that his present reading was 2341, accordingly his bill was revised to Rs. 4,046.00 which he duly paid. As per meter reading his consumption for every 2 months of billing cycle varies from 200 to 400 units. Reading was taken on 25.09.2021 by the meter reader and the bill was prepared according to that reading and at present the total outstanding dues against him are Rs. 15,568.00 as he did not make any payment after March 2021. He has applied for a check meter which was registered on 23.10.2020 but he did not pay check meter fee so check meter could not be installed. The respondent has corroborated his submission with a copy of consumer billing history right from January 2019 to September 2021.

5. The petitioner has submitted his rejoinder on 07.12.2021 in which no new point or fact of the case has been mentioned.
6. Hearing in the case was held on 27.12.2021 while the petitioner appeared himself and argued his case, the respondent did not come for arguments. He however submitted an application no. 3829 dated 27.12.2021 received after the arguments were over, that he was not able to appear for arguments as he was under transfer. His request was not acceded to by the Hon'ble Ombudsman as it was not a justified ground because if he was not able to appear personally he could have deputed AE (R) or SDO concerned or a dealing assistant of his office who might be well conversant with the facts of the case. The arguments were therefore concluded and order was reserved for 30.12.2021.
7. Arguments from the petitioner were heard but that from the respondent could not be heard as he did not appear for arguments. Documents available on file have been perused it is found that a 1 KW connection for domestic use was released on 18.12.2018 with connection no. TH14N15133746 by installing meter no. U319136. As per provisions of tariff billing cycle is for 2 months for this category of consumer and accordingly bi monthly bills are being issued right from the month of January 2019 till September 2021. Most of the bills except the bill for the month of January 2019 and September 2020 for NA and that for 03/2020 on NR. Although the billing history shows all bills except the aforesaid 3 bills on MU but the billed units for the different billing cycles show inconsistency in energy consumption which shows that MU units shown in the billing history on which bills are issued are purportedly metered units and not the actual units that might have been consumed in different billing cycles. A perusal of this billing history further reveals that 1973 units have been recorded from January 2019 to November 2020 which gives an average consumption of 82 units per month. Bill for the month of January 2021 has been issued for 2341 units i.e. 1171 units per month against average consumption of 82 units per month till 11/2020, showing previous reading as 0 and present reading on the date of issue of the bill as 2341. While out of these 2341 units, 1973 units have already been billed up to the month of 11/2020. It shows that 2341 units is the total consumption from 01/2019 to 01/2021 and not the consumption for this bill only as such the average consumption from 01/2019 to 01/2021 comes out 90 units per month. Further bill for 03/2021 has been issued for 1600 units i.e. 800 units per month

and bills from 05/2021, 07/2021 and 09/2021 have been issued for 445 units, 427 units and 203 units per bill respectively. The final reading in the bill of 09/2021 is shown as 5016 and initial reading in the bill for 03/2021 is shown as 2341 so consumption from 03/2021 to 09/2021 in 8 months (4 bills) has been 2675 units i.e. 334 units per month, this is too high as compared to the average consumption of 90 units per month from 01/2019 to 01/2021. The billing history shows that the total billed units from 01/2019 bill to the bill of 09/2021 i.e. 34 months (17 billing cycles) have been 5016 units being 0 initial reading in the bill for the month of January 2019 and 5016 final reading in the bill for 09/2021 that gives average consumption of 147.5 units per month (say 148 unit per month) for the total period of 34 months. This appears to be reasonable average consumption for a domestic connection of 1 KW load. From the above deliberations it is suggested that the billed units from the month of 01/2021 to 09/2021 are not the actual metered consumption in different bills but these are the purported billed units and shown as metered units.

8. Bill from 17.03.2021 to 20.05.2021 for 445 units for a sum of Rs. 12,105.00 including arrear Rs. 9,848.00 + LPS Rs. 241.51 is the disputed bill. As a result of arguments before the Forum reading on 12.01.2020 as admittedly found correct, a consolidated bill for the period 18.12.2018 (date of release of connection) to 12.01.2021 for 2341 units was issued for Rs. 4,046.00 after adjustment of the payments already made, which was duly paid by the petitioner vide receipt dated 04.03.2021. In view of the irregularities committed by the respondent in issuing the bills from 01/2021 to 09/2021 as explained above it would be logical and justified if all 17 nos. bills issued from January 2019 to 09.02.2021 for a total recorded consumption of 5016 be revised by uniformly distributing this total consumption of 5016 units over the issued 17 nos. bills for 34 months from January 2019 to September 2021 on appropriate tariff after adjustment of all payments made by the petitioner and without levy of any LPS. As per details given in the billing history, the petitioner has made the following payments of Rs. 4,046.00 in the month of 03/2021 (04.03.2021), Rs. 3,503.00 on 12.06.2020 and Rs. 850.00 on 11.12.2019. Revised bill as per above order be issued within 15 days from the date of this order.
9. Further the respondent is directed to install a check meter within 7 days from the date of payment of check meter fee by the petitioner and finalize it within next 15 days.

Any corrections in the bill issued as per this order be made as per check meter results if necessitated in accordance with sub regulation 5.1.3 (10) (a) or (b) as the case may be of UERC (Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 which have been notified in the gazette on 28.11.2020. Petition is allowed. Forum order is set aside.

Dated: 30.12.2021

(Subhash Kumar)  
Ombudsman