

:THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Shahdab Alam
House no. 181, Govindgarh,
Teachers Colony, Near Sneh School,
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Central),
Uttarakhand Power Corporation Ltd.
18, EC Road, Dehradun, Uttarakhand

Representation No. 27/2021

Order

Dated: 26.10.2021

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 29.07.2021 in his complaint no. 82/2020, against Uttarakhand Power Corporation Ltd (hereinafter referred to as UPCL) through Executive Engineer, Electricity Distribution Division (Central), Dehradun (hereinafter referred to as respondent) Shri Shadab Alam, user of connection no. CD62206093551 which is in the name of Late Shri Raj Kumar has preferred this petition for correction of the inflated bill.

2. The petitioner has averred that he received inflated bill due to meter jumping, check meter was got installed, but still an inflated bill was issued. The consumption recorded since date of connection and total connected load in the shop be got checked. The Forum dismissed the complaint. Forum order was received late resulting in delay in submitting the instant petition and therefore delay may kindly be condoned. Pending final disposal of the petition order be issued for payment of current bill only. And the disputed bills may be got corrected. An authorization from Meenakshi Kalyani Widow of Late Shri Rajkumar has also been adduced in favour of the petitioner Shri Shadab Alam. The petitioner has submitted copy of the sealing certificates dated 28.10.2020 and 23.11.2020 for installation and finalization of the check meter respectively, a copy of the consumer billing history from 18.10.2018 to

23.08.2021 has also been submitted and copy of Forum order dated 29.07.2021 has also been submitted with the petition.

3. The Forum after hearing arguments from both parties and perusal of the records has observed that check meter was installed on 28.10.2020 which was finalized on 23.11.2020. According to this check meter study the existing meter was found running slow by 65%. Bill for the difference of the consumption due to slow running of meter as per study has been added in the bill. The Forum therefore concluded that the complaint is liable to be dismissed and they have accordingly dismissed the complaint.
4. The respondent Executive Engineer has submitted their written statement vide letter no. 2460 dated 21.09.2021 wherein he has submitted that connection no. CD62206093551 for welding works is existing in the premises in the name of Shri Rajkumar. Having received an inflated bill for the month of 09/2020 the petitioner had applied for installation of check meter vide his application dated 25.09.2020. Check meter fee was deposited on 26.09.2020 and the check meter was installed on 28.09.2020 (as per sealing certificate the date of installation of check meter is 28.10.2020) which was finalized on 23.11.2020, in this check meter study the old meter recorded a consumption of 16 units while the check meter recorded a consumption of 46 units, as such the existing old meter was found running slow by 65%. Based on this study an assessment of Rs. 20,223.00 was raised in the bill in accordance with sub regulation 3.1.3 (6) of UERC Supply Code Regulations, 2007. A complaint was lodged by the petitioner before the Forum which is registered as complaint no. 82/2020. The Forum dismissed the complaint based on the facts of the case. A copy of consumer billing history from 10.06.2009 to 18.09.2021 and ledger has also been adduced with the written statement.
5. The petitioner has submitted a rejoinder dated 05.10.2021. The petitioner has submitted that bills as per new meter are being received for Rs. 700.00 to 800.00 per bill which appears to be correct. He has stated that the check meter study is not acceptable to him. He has requested that check meter study be conducted again. The inflated bill of about Rs. 8,000.00 was raised due to jumping in the meter. This status of the meter was reported to him by the meter reader. Bill amounting to Rs. about

22,000.00 for 6 months has been raised on the basis of this check meter study. He has requested that bill be revised on the basis of previous 2 years consumption.

6. Hearing in the case was held on prescheduled date 13.10.2021. Petitioner appeared himself and the respondent was represented by Shri Bhupender Singh SDO. Both parties submitted their oral arguments, the hearing was concluded with mutual consent. Date for pronouncement for order was fixed for 26.10.2021.
7. After hearing arguments from both parties and perusal of records it is found that 1 KW non domestic connection number KCD62206093551 is existing in the name of Late Shri Rajkumar S/o Jagram, Jyoti Vihar, Dehradun w.e.f. 05.02.1995. Having received inflated bill for the month of 09/2020 and 10/2020 the petitioner has applied for check meter study. The check meter was installed on 28.10.2020 and finalized on 23.11.2020 as per sealing certificates adduced by both parties and are available in the file. As per this check meter study the existing meter was found running slow by 65% with reference to the check meter and accordingly assessment amounting to Rs. 20,223.00 was raised by the respondents. The check meter study conducted by the respondents is unacceptable as the consumption recorded by check meter is inconsistent with that recorded by the existing meter in the period preceding the disputed bill and that recorded by the check meter after its finalization on 23.11.2020, further recorded consumption by old meter's preceding the billing cycle of the disputed bill and that recorded by the new meter (which was the check meter) is of the same order i.e. from 59 units per bill to 150 units per bill. As per the new meter and that varies from 16 units to 221 units per billing cycle recorded by the old meter for last one year preceding the disputed bill against the consumption recorded by the check meter as 46 units and by old meter 16 units on the basis of which existing meter has been declared slow by 65%. The consumption recorded in the billing cycle of the disputed bill is 800 units which is more than 4 times higher than the average consumption recorded by the old meter preceding the disputed billing cycle and by the new meter after its finalization. Such being the case the check meter study proves to be a futile exercise and therefore this check meter study as well as assessment amounting to Rs. 20,223.00 raised on the basis of this study by the respondent is held as null and void and the respondent is therefore directed to withdraw the aforesaid imposed assessment. Further the respondent is directed to revise the disputed bill on

the basis of average metered consumption in 3 consecutive billing cycle either prior to the billing cycle of the disputed bill or that of the 3 consecutive billing cycle after the date of installation of the check meter which is now the main meter at petitioner's premises. The petition is therefore allowed. Forum order is set aside.

Dated: 26.10.2021

(Subhash Kumar)
Ombudsman