

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Khalil
S/o Shri Sahid
Nagla Imarati, P.O. Milap Nagar,
Roorkee, Distt. Haridwar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Rural),
Uttarakhand Power Corporation Ltd.
Roorkee, Distt. Haridwar,
Uttarakhand

Representation No. 15/2025

Award

Dated: 30.05.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Haridwar Zone, (hereinafter referred to as Forum) dated 31.01.2025 in complaint no. 177/2024 by which Ld. Forum has allowed the complaint of appellant Shri Khalil, S/o Shri Sahid, Nagla Imarati, Milap Nagar, Roorkee, Distt. Haridwar, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Rural), Uttarakhand Power Corporation Ltd., Roorkee, Distt. Haridwar, Uttarakhand (hereinafter referred to as respondent).

2. The instant petition (undated) has been preferred by the petitioner for cancellation of wrong bills and for issuing revised bills on actual meter reading as per MRI. The petitioner has averred that a complaint was submitted before the forum on 14.08.2024 in the camp held by the Forum at Landhora, wherein he requested the Forum for correction of the wrong bills. He was asked that a notice will given to him for hearing in Forum's office, but without hearing him the Forum passed order ex parte. He received Forum's order on 23.02.2025 so the instant petition could not be preferred within stipulated period of one month. His point wise averments are as follows:

- i. A bill dated 29.06.2021 against his PTW connection no. RD900B1721223 was issued for a sum of Rs. 73,814.00 at meter reading 72967 for a consumption of

12162 units. According to him the bill was wrong because as per MRI report for the month of 11/2021 was only 14860. He although requested the department for correction of the bill but no action was taken.

- ii. A wrong bill for Rs. 46,620.00 was issued on 28.01.2021 in which reading in the meter was shown as 60805. The bill was for 3113 units. While meter reading as per MRI report for the month of January 2021 was 11254.
 - iii. An application was submitted in the department on 03.02.2021 for correction of the bill for the month of January 2021, but no correction was made in the bill.
 - iv. Further an application dated 10.01.2022 was given in the department for correction of the wrong bill for the month of 06/2021, still no action was taken.
 - v. Complaint before the Forum was preferred on 14.08.2024 in the camp.
 - vi. The department did not submit any photo of the meter reading obtaining in the meter. Neither MRI report was submitted, which suggests that bills were issued without checking the meter.
 - vii. After perusal of the MRI submitted by him, before the Forum, the Forum held that due to a fault in the meter a phenomenon of back jumping appeared in the meter, but according to the petitioner nothing like that appears in the MRI report.
 - viii. The Forum was apprised vide AE Meter's letter no. 18 dated 15.01.2025 that the meter was sent to M/s Zenus Power Infrastructures for checking but without waiting for the report from the above company the Forum passed order.
 - ix. The Forum was of the opinion that a consumption of 8317 units was recorded from 06.11.2011 to 10.01.2020 i.e. in 105 months. This gives a consumption of 474 units per 6 month, which in view of Forum appear to be practically possible. The petitioner has submitted that no irrigation was being done at the Land because plotings are being done in part of the land and construction is also going on.
 - x. Further he as averred that about 10 to 15 houses have already been built up in the land where the connection exists, which can be verified by site inspection.
3. He has averred that the department has issued bills on wrong readings The Respondent division has informed him that the wrong bills have been revised and now the amount of the revised bills has come out to Rs. 85,733.00. He however said that the revised bill is not acceptable to him.



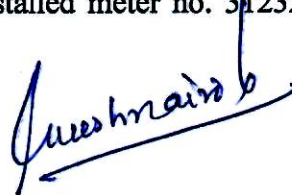
He has prayed that the wrong bills be cancelled administrative action against erring staff be ordered and a correct revised bill be issued.

4. After hearing both parties and perusal of records, the Forum observed that based on the records it is established that reading on consumer's meter no. 312327 was 56180 KWh as on 01.01.2020, hence the consumer consumed a total 53180 units in 105 months from 06.04.2011 to 01.01.2020, which gives an average of 507 units per month. (3042 units per 6 months), which in Forum's view appears to be correct and reasonable, having regard to his contracted load. Having observed as above the Forum was of the view that bills issued from 30.07.2020 to 20.08.2024 are liable to be cancelled and revised bill from 01.01.2020 to 10.01.2024 (date of temporary disconnection) be issued on the basis of average consumption recorded in the meter from 28.06.2018 to 01.01.2020 i.e. in 18 months, during which period the recorded consumption was 9670 units (56180 – 43510). Having observed as such the Forum ordered as follows:

“परिवादी द्वारा प्रस्तुत यह परिवाद स्वीकार किया जाता है। विपक्षी विभाग को आदेशित किया जाता है कि वह परिवादी को दिनांक 30.07.2020 से दिनांक 20.08.2024 तक जारी समस्त बिलों को निरस्त करते हुए, दिनांक 01.01.2020 से दिनांक 10.01.2024 (अस्थायी विच्छेदन की तिथि) तक की अवधि हेतु परिवादी द्वारा, दिनांक 28.06.2018 से दिनांक 01.01.2020 तक, लगभग 18 माह की अवधि में की गई कुल विद्युत खपत 9670 (53180-43510) यूनिट के सापेक्ष, दर्ज औसत छमाही विद्युत खपत के आधार पर परिवादी को संशोधित बिल जारी करे।”

5. The respondent, Executive Engineer has submitted his written statement vide his letter no. 2379 dated 22.04.2025 along with a notarized affidavit. At the outset he has submitted that a complaint no. 177/2024 was preferred by the petitioner before the Forum against wrong billing of his PTW connection RD900B1721223. The Forum after perusal of records and hearing both parties passed order dated 30.01.2025 (correct date is 31.01.2025) wherein Forum ordered for corrections of the bills and the bills have accordingly been revised in compliance to Forum's orders. Point wise replies have been submitted as follows:-

- i. A 10 HP connection for PTW was released on 06.04.2011 in the name of the petitioner. A bill for Rs. 73,814.00 was issued on 29.06.2021 as per actual reading obtaining in the installed meter no. 312327 as 72967 KWh. Further



bill dated 31.12.2016 issued for 38,460.00. As per meter reading 33101 KWh obtaining in the meter which was duly paid by the petitioner. Further bill dated 07.01.2018 was issued for Rs. 13,776.00 on meter reading 40260 KWh obtaining in the meter, which was also duly paid by him on 05.03.2018. The said payment made by him before a period of 7 years suggests and confirms that the petitioner was satisfied with the said bill. As per the meter readings shown in the aforesaid 2 bills the total consumption in 12 months was $(40260 - 33101) = 7156 / 12$ the average monthly consumption comes out 596 units. Further the manual reading taken by the staff in the month of 12/2018 in the installed meter was 46613 and that in the month of 12/2019 was 53180 from which the consumption in 12 months comes out $(53180 - 46613 = 6567)$ and that divided by 12 gives average monthly consumption of 547 units. The meter readings as obtaining in the different billing cycles have reached from 4026 KWh to 72967 KWh which shows that the meter reading 14660 KWh claimed by the petitioner as the correct reading in the month of 11/2021 was possible only due to a fault in the meter.

- ii. As per point no. i) above.
- iii. The bills were issued as per actual meter reading obtaining in the meter.
- iv. No additional submission is required.
- v. The bills were revised in compliance to Forum order passed in his compliant before the said Forum.
- vi. As per point no. i) above.
- vii. In the MRI dated 10.11.2021 of the meter 312327 submitted by the petitioner the MRI date has been shown as 11.01.1936 while in the MRI dated 12.06.20203 done by the department the date of MRI has been shown as 05.05.2000, which also suggests that meter had become faulty.
- viii. The meter was sent to the manufacturer M/s Zenus by the test division. The company has submitted its report dated 19.04.2025 which reads as *"We analyse the report downloaded from Meter using BCS software meter Real time clock (RTC) found wrong configured its last billing time found 01/03/2002 which is wrong, and from when received it from last seven month consumption is 0 Kwh due to this consumption of energy analysis not possible."*

Muhammad

ix. No additional submission is required.

Bills have duly been issued on the actual meter readings as appeared in the meter in different billing cycles which are technically correct and hence the petition is liable to be dismissed. He has substantiated his averments with annexures from 1 to 11 as referred under the above paragraphs.

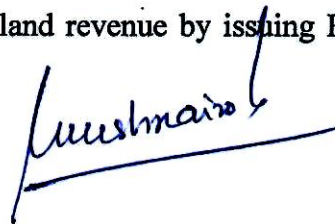
6. The petitioner has submitted a rejoinder dated 06.05.2025 along with affidavit. No new facts about the case have been submitted in this rejoinder and it is merely a reiteration of his averments made in the petition.
7. Hearing in the case was fixed for 21.05.2025. Both parties appeared. Petitioner appeared himself and the respondent was represented by Shri Gulshan Baluni, SDO. They verbally pleaded their case. The respondent's representative categorically admitted that the connection was temporary disconnected on 10.01.2024 for nonpayment of outstanding dues. He also admitted that the transformer was also removed from the site after a few day of temporary disconnection, however PD has yet not been done. The arguments were concluded and 30.05.2025 was fixed for pronouncement of order.
8. Documents and records available on file have been perused and arguments from both parties were heard. It is borne out that the dispute is mainly related with bill for the period 30.11.2020 to 31.05.2021 issued on 29.06.2021 for a consumption of 12162 units from reading 60805 to 72967 for a sum of Rs. 73,814.00 which includes arrears of Rs. 46,620.00 also. The petitioner's objection is that this much reading was not appearing in the meter and reading in the meter as per MRI of the month of 11/2021 was 14860. The respondent has given details of the consumptions in various billing cycles and has justified that the final reading in the bill dated 29.06.2021 was 72967 and the reading 14660 in the MRI for the month of 11/2021 was not the correct reading as by that time the meter had developed some fault, which is established from the dates mentioned in the MRI, which are the years 1935 and 1936. The meter was sent to the manufacturer M/s zenus who has given its report which is reproduced in written statement, which has clearly established that real time clock (RTC) of the meter was found wrongly configured and as such that MRI is not reliable.

Gulshan Baluni

9. The Forum has dealt with the case very carefully in its order dated 31.01.2025 passed in petitioner's complaint no. 177/2024 and has denied that petitioner's assertion that the reading MRI 11/2021 reported as 14860 KWh was the correct reading and the bill should have been revised accordingly, however the Forum has denied petitioner's submission and have also observed that the respondent's have issued 5 IDF bills in a single stretch from 30.07.2020 to 20.08.2024 which are liable to be cancelled being in violation of sub regulation 5.2.1 (7) of UERC regulation, 2020 and in view of facts and circumstances of the case the Forum has directed that all the bills issued from 30.07.2020 to 20.08.2024 be cancelled and revised bill for the period 01.01.2020 to 10.01.2024 (the date of temporary disconnection) be revised on the basis of average consumption recorded in 18 months for the period 28.06.2018 to 01.01.2020 being 9670 KWh (53180 – 43510). The respondents have accordingly revised the bills as ordered by the Forum by allowing adjustment of Rs. 2,43,779.82 on 18.02.2025 resulting into the net payable amount Rs. 85,733.18, instead of Rs. 3,29,513.00 as on 31.12.2024 as per ledger, which is duly reflected in the ledger as well as in the consumer billing history submitted by respondent with his written statement. Such being the case the Forum order is not to be interfered with and is liable to be upheld and petition is liable to be dismissed. Further as mentioned by the Forum in its order administrative action against the erring staff for issuing IDF bills in a single stretch for 5 billing cycles being in violation of the relevant UERC regulations, which allows to issue only two IDF bills in a single stretch, is also required to be taken by the competent authority of UPCL. Further it is also desirable that the PD be finalized, which has already been over delayed, as the transformer has already been removed, connection was temporarily disconnected on 10.01.2024. Account be finalized after adjustment of security, if any, along with interest as per departmental rules, applicable in the matter.

Order

The petition is dismissed. Forum order is upheld. The respondents are at liberty to get their legitimate dues being Rs. 85,733.18 as per ledger realized after PD and finalization of account by adopting such means as are available to them including recovery of outstanding dues as arrears of land revenue by issuing RC under Govt.



Electrical Undertakings Dues Recovery Act, 1958 as adopted in the state of
Uttarakhand.

Dated: 30.05.2025

Order signed dated and pronounced today.

Dated: 30.05.2025

[Signature]
(D. P. Gairola) 30.05.2025
Ombudsman

[Signature]
(D. P. Gairola) 30.05.2025
Ombudsman