

BEFORE THE ELECTRICITY OMBUDSMAN, JHARKHAND
4th floor, Bhagirathi Complex, Karamtoli Road, Ranchi – 834001

Case No. EOJ/08/2010

Dated- 31st January, 2011

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| Ravi Prasad | | Appellant(s) |
| | Versus | |
| JSEB through its Chairman & others | | Respondent(s) |

Present:

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| Shri Arun Kumar Datta | Electricity Ombudsman |
| Shri A.K. Srivastava | Counsel for appellant |
| Shri Vikramaditya Roy | Counsel for appellant |
| Shri Rajesh Shankar | Counsel for the respondent Board |
| Shri Dheeraj Kumar | Addl. Counsel for respondent Board |

J U D G E M E N T

1. This is an appeal filed by the appellant Ravi Prasad against the Judgement/order dated 09/09/2010 passed in case no. 13/2009 by the learned Vidyut Upbhokta Shikayat Niwaran Forum (In short to be referred as VUSNF) of JSEB, Ranchi by which the grievances of appellant were not redressed in connection with wrong energy bills issued to the appellant of his Clinic by the respondents JSEB.

2. The case of the appellant in brief is that Dr. B.N. Prasad father of the appellant Ravi Prasad is a consumer of JSEB having consumer no. DR/4257 under NDS-2 Tariff with 01KW load. The meter of appellant bearing Sl.No. 26572 were changed on 24/03/2009 as it was burnt and in its place a new meter bearing Sl.No. 726396 was installed in the clinic of the appellant. The appellant received a energy bill No. 73 showing previous reading as 06 and present reading 3231 of total consumed units 3225 after installation of new meter. The aforesaid bill was for the month of May, 2009 amounting to Rs. 12042. Thereafter energy bills for the month of June, 2009 and July, 2009 was issued by the respondent JSEB, was for 84 KWH and 80 KWH respectively which are correct and they are in accordance with the load of the clinic of the appellant

because the load of clinic of the appellant was found to be 740 Watt on inspection by the respondent Board on 27/07/2009. The bill for the month of May, 2009 for consumed units of 3225 amounting to Rs. 12042 is wrong and is very high against the load and requirement of power because in the clinic the appellant's father seats for short period in between 10 AM to 12 AM and again from 05 PM to 07 PM where the aforesaid new meter has been installed. Besides it the meter which was installed on 24/03/2009 has got Sl.No. 726396 but on energy bill the meter number has been shown as 759334. Therefore the reading is not correct and this reading is not the reading of appellant. Therefore according to the appellant, there is defect in the meter which was installed in the clinic of the appellant's father. There is some mistake in the reading of the meter of the appellant's father because in just 37 days 3225 units can not be consumed whereas there is average consumption of 82 to 85 units in the clinic of appellant's father. Therefore the appellant has prayed for setting aside the order/Judgement passed in case No. 13/2009 dated 09/09/2010 by the learned VUSNF of JSEB, Ranchi by which the learned VUSNF has dismissed the complaint of the appellant holding that the energy bill issued by the respondents/JSEB is correct and based on the reading of new changed meter on 24/03/2009 which is payable by the appellant.

3. The case of the respondent JSEB is that the impugned bill for the month of May, 2009 is correct and justified and it is payable by the appellant because the new meter bearing Sl. No. 726396 was installed in the premises of appellant having its initial reading 06. A bill for the month of May, 2009 was issued to the father of the appellant for consumed units of 3225 because the present reading was 3231KWH. Thereafter the bill for the month of June, 2009 showing the present reading as 3315KWH was sent to appellant/consumer as per the meter reading bearing meter No. 726396. The premises of appellant's father was inspected on 27/07/2009 and the new installed meter was found properly in working condition and the energy reading was found to be 3420KWH bearing No. 726396 on 27/07/2009 and the load was found to be 740 Watt. The bill for the month of July, 2009 dated 12/08/2009 shows previous reading as 3315KWH and present reading shows as 3395 KWH which was sent to the appellant's father as per the reading of new energy meter No. 726396. Therefore according to the respondent JSEB the learned VUSNF has rightly held that the bill issued by the respondent JSEB to the consumer/appellant is based on reading of the new meter changed on 24/03/2009 which

is payable by the consumer/appellant. Therefore according to the respondents JSEB this appeal filed by the appellant is devoid of any merit and it is liable to be dismissed.

FINDINGS

4. Shri A.K. Srivastava, the learned Counsel appearing on behalf of appellant has submitted that previously a meter bearing No. 26572 was installed in the clinic of the appellant's father and on 24/03/2009 a new meter bearing No. 726396 was installed in the aforesaid clinic of the appellant's father. On 24/03/2009 a bill bearing No. 73 showing previous reading as 06 and present reading as 3231 and consumed units of 3225 was received by the appellant in respect of an alleged meter No. 759334 for the month of May, 2009 dated 11/06/2009 amounting to Rs. 12042. As the aforesaid bill was exorbitant and erratic therefore the consumer/appellant has informed to the licensee on 06/07/2009 for replacement of the defective meter and to rectify the bill according to the previous reading. But there is no response from the side of respondents JSEB, therefore the appellant's father had sent a letter on 10/07/2009 to the respondents JSEB. Thereafter the bill for the month of June, 2009 dated 13/07/2009 showing previous reading as 3231 and present reading as 3315 and units consumed 84 was received by the appellant's father. The officers of respondents JSEB came and inspected the clinic of the appellant's father on 27/07/2009 and found that there was only 04 no. of fans, 03 nos of lamps and 05 nos of tube lights were installed in the clinic of the appellant's father and the total load was found as 740 Watt thereon. The respondent JSEB has also sent a letter No. 1201 dated 11/08/2009 to the appellant's father stating therein that there is no defect in the meter and as such the bill amount has to be paid. The bill for the month of April, 2009 dated 12/08/2009 showing previous reading as 3315 and present reading as 3395 and units consumed 80 was also received by the appellant's father. On the basis of the aforesaid facts it has been submitted by the learned Counsel of the appellant that in just 37 days from the installation of meter the bill showing the reading of 3225 units has been sent to the appellant's father which is apparently wrong because the alleged units consumed is in respect of meter No. 753994, has been added. It has been further argued on behalf of the appellant that from the inspection report dated 27/07/2009 the meter reading was 3420 and the bill for the month of July dated 12/08/2009 shows present reading as 3395 which is next to impossible.

5. But I do not find any force in the aforesaid contention of the learned Counsel of the appellant because the reading was made earlier to 27/07/2009. The learned Counsel of appellant has drawn my attention on the bill of March, 2009 on which an alleged reading has been mentioned as 3147. On perusal of the bill for the month of March, 2009 the present reading shows as 44677 and previous reading as 44641 and units consumed is only 36 units. According to the learned Counsel of appellant this reading showing as 3147 in the bill of March, 2009 bearing No. 73 should have been the previous reading in the bill of May, 2009 and the previous reading can not be 06 as shown in the impugned bill of May, 2009.

6. But I do not find any force in the aforesaid contentions of the learned Counsel of the appellant because even if it is accepted that this reading has been made by the respondents JSEB even this is the reading on 11/04/2009 and similarly the passed reading will be only 06 which was the initial reading on the day of installation of the meter in the clinic of appellant's father i.e, on 24/03/2009 which is proved from the compliance report for new service connection, Doranda. From the aforesaid report it is also found that one meter No. 759334 was also installed on 24/03/2009 in the premises of Shri Pran Chandra having initial reading as 0004. As such I do not find any force in the contention of the learned Counsel of the appellant that the impugned bill for the month of May, 2009 of appellant was for the meter No. 759334 of Pran Chandra and it was not of the bill of appellant because its initial reading was only 0004. The meter number appears to be a mistake and human error which has been wrongly mentioned in the bill of appellant for the month of May, 2009.

7. On perusal of the bill for the month of April, 2009 again the same meter No. as 759334 is found to be wrongly mentioned in it and present reading and previous reading has been shown as 06. The bill for the month of April no units appears to have been consumed by the consumer/appellant and only fixed charge and meter rent has been charged and the meter reading showing as 3231 which was read on 12/05/2009 is also found in the impugned bill of May, 2009 therefore the impugned bill of May, 2009 bears the consumed units from 24/03/2009 on the day on which new meter was installed up to 12/05/2009. Therefore there is no force in the contention of the learned Counsel of the appellant that in only 37 days 3225 units can not be consumed by the appellant/consumer. In this regard I found force in the contentions of the learned Counsel of the respondent

JSEB that billing is totally governed on the meter reading on the basis of electrical energy consumed by the consumer/appellant and high voltage equipment would have been used in the circuit in between the month of March, 2009 to May, 2009 and therefore the energy consumption was very high which was recorded in the meter which can not be disputed because the meter was also found to be correct and it was not found defective from the inspection by the officers of the respondents/JSEB.

8. Thus from the aforesaid discussions and findings made above, I am also of the view that the impugned bill of May, 2009 is correct and it is based on the reading of new meter changed on 24/03/2009 and as such it is payable by the appellant/consumer which has also been held by the learned VUSNF of JSEB, Ranchi. The appellant/consumer is directed to pay the remaining amount of impugned bill of May, 2009 without delayed payment surcharges because of the confusion which was created by the officers of the respondents/JSEB entering wrong meter number in the energy bills from April, 2009 to June, 2009. As such no D.P.S. can be charged by the respondent JSEB.

9. In the result there is no merit in this appeal, hence the Judgement/order passed by the learned VUSNF of JSEB, Ranchi is hereby confirmed without any interference.

Let a copy of this order be served on both the parties.

Sd/-
Electricity Ombudsman