

**BEFORE THE ELECTRICITY OMBUDSMAN**  
**For the State of Goa and Union Territories (Except Delhi)**  
**3rd Floor, Plot No. 55-56, Udyog Vihar-Phase IV, Sector 18,**  
**Gurugram (Haryana) 122-015**

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**APPEAL No. 109/2019**

**Date of Hearing: 30.05.2019 at Chandigarh**

Sh. V.K. Malhotra,  
General Secretary  
Sanatan Dharam Mandir,  
Sector 11-B, Chandigarh

..... Appellant

**Versus**

The Superintending Engineer,  
Electricity Wing of Engineering Department,  
Chandigarh. (EWEDC)

..... Respondent

**Parties present:**

Appellant

Sh. V.K. Malhotra,

Sh. Arunesh Agarwal

Sh. Thakur Dass (Consumer/ Consumer representative)

Respondents

Sh. Pawan Kumar Sharma  
Executive Engineer, EWEDC.

Sh. Surinder Kumar,  
Assistant Executive Engineer, EWEDC.


Sh. Satish Kumar,  
RA, EWEDC

**Date of Order: 14.06.2019**

The Appellant has preferred an Appeal against Order dated 21.02.2019 of the Consumer Grievances Redressal Forum, Chandigarh in Complaint No. CGRF/Comp-CJ-206/2018-19 dated 05.03.2019. The Appeal was admitted on 15.04.2019 as Appeal No. 109 of 2019.

**A. Submissions by the Appellant:**

1. The Appellant is a registered Society running a Temple known as SD Mandir in Sector 11B Chandigarh.

  
14/6/19

2. The Dispute of Charges for the Electricity started only after installation of Solar Panel in the Mandir and replacement of existing meter with another Bio Digital Meter on 20.11.2018.
3. The meter was replaced in absence of Authorized Representative.
4. The bill which was generated and issued by the Electricity Department for the period i.e. 25<sup>th</sup> August, 2018 to 25<sup>th</sup> October, 2018 is exorbitant high amounting to 14074 Units.
5. The meter lying in the custody of the Electricity Department, Chandigarh from 16.11.2018 to 12.12.2018 was sent for testing in the Lab. It would have been better if the meter in question had been functioning in the Mandir premises.
6. That Complainant Appellant also to plead his case attached the details of Bills for the period of three year and when the matter was being heard for five years with the submission that the consumption with the same periodical month period be compared with the same periodical month period during the last five preceding years as no extra electrical appliances were added in the Mandir. The CGRF did not considered these documents while giving decision of the case.
7. That the Hon'ble Learned Forum decision is not based on Merit, Equity and Natural laws of Justice. So, the Appeal may be decided on basis of law points and facts and circumstances of the cases.

**B. Submissions by the Respondent:**

1. The Appellant has challenged the Electricity Bill of 25.08.2018 to 25.10.2018.
2. The Appellant was provided with adequate opportunities regarding the challenge of meter in the M&P Lab in the presence of the consumer as per Regulation 7.52 of the Electricity Supply Code 2010.
3. The Appellant availed the said option and accordingly got the meter checked from M&P Lab on 08.02.2019.
4. The meter in question was replaced by Electricity Department, Chandigarh on 20.11.2018 installing the Bio- Directional meter and the same exercise was carried out in presence of Appellants representative.
5. Whereas all these allegations pressed against the Electricity Department, Chandigarh are baseless .

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14/6/19

6. It is a clear case of accumulation of reading during the period June, 2017 to February, 2018 recorded by the meter reader with the help of one of the representatives of Mandir. The Consumption of disputed period compared with the corresponding period is as under for ready reference: -

Sr. No.	Period	Year 2016	Year 2017	Difference
1.	June to August	3190	1800	1390
2.	August to October	7523	1796	5727
3.	Oct. to December	3161	1300	1861
4.	Dec. to February	3209	1514	1695
<b>TOTAL</b>				<b>10673</b>

7. The meter has been tested in the presence of the Appellant and found to be accurate i.e. within the limits specified.
8. Hon'ble CGRF has already examined the case of the Appellant, and decided against on the basis of year to year consumption from the date when the dispute arose.
9. That the Order dated 21.02.2019 passed by the Hon'ble CGRF is based on record available with the answering defendants. Hence, it is a clear-cut case of accumulation of reading recorded by the meter reader with the help of Mandir representative.

**C. Consumer Grievances Redressal Forum (CGRF):**

**Consumer Grievances Redressal Forum, Chandigarh in its order dated 21/02/2019 has decided as under-**

1. *As per report submitted by CED meter was working Okay. On comparison of the consumption data of the complainant for the year 2018-19, 2017-18 and 2016-17 the consumption was found to be 27015 units, 26100 units and 28349 units respectively. Hence the amount charged is correct.*
2. *The complaint is disposed as per above observations.*

**D. Discussions during hearing:**

1. Appellant(s):
  - a. The Appellant suggested that the consumption of 14074 Units in the bill from 25.08.2018 to 25.10.2018 is too high. Such a high consumption had never been there during the last five years.

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14/6/19

- b. The Appellant informed that they had to pay late payment surcharge due to sudden raising of Exorbitant bill for no fault of theirs.

2. Respondent(s)

- a. The Appellant contention was challenged by the Respondent stating that during the last five years, the Consumer consumption has been as under:

Serial No.	Period	Consumption
1.	February 2014 to February 2015	22226
2.	February 2015 to February 2016	31198
3.	February 2016 to February 2017	25001
4.	February 2017 to February 2018	15021
5.	February 2018 to March 2019	28829

- b. As can be seen from the consumption from February 2017 to February 2018 and February 2018 to March 2019 the consumption of the Consumer has accumulated due to lower readings reported during February 2017 to February 2018. This has also been substantiated by the meter testing report which is found to be accurate.
- c. The late payment surcharge or interest due to delayed payment was charged as the consumer couldn't pay the exorbitant bill by the due date. The appellant had to pay the late payment interest/surcharge for no fault of theirs.

**E. Analysis & Decision:**

- The meter has been tested in presence of the appellant has been confirmed to be Okay.
- The consumption pattern of the Consumer is as under:

Serial No.	Billing Period	Consumption	Billing Period	Consumption
1.	06/2017 to 8/2017	1800	06/2018 to 8/2018	3012
2.	8/2017 to 10/2017	1796	8/2018 to 10/2018	14074 <b>Charged on last reading of old meter.</b>
3.	10/2017 to 12/2017	1300	10/2018 to 12/2018	1376 <b>Meter changed on 20.11.2018</b>
4.	12/2017 to 02/2018	1514	12/2018 to 03/2019	4891 <b>Consumption as per new Meter</b>

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14/6/19

From the above it can be seen that the consumption of the Appellant had accumulated and were billed on the basis of last meter reading of the old meter which was replaced with bidirectional meter. This has also been substantiated by the last five years average consumption and accuracy of meter. In regard to this, the decision of Hon'ble CGRF is in order and accordingly upheld.

3. The contention regarding levy of late payment surcharge/ interest from the Appellant is unjustified as the readings have got accumulated for no fault of the consumer/ Appellant. So, any interest/ late payment surcharge levied on or already paid by the Consumer due to sudden raising of exorbitant bill for period from 08/2018 to 10/2018, be adjusted/refunded in the next bill of the appellant.

The Appeal stands disposed off accordingly.



(Rajesh Dangi)  
Electricity Ombudsman  
For Goa & UTs (except Delhi)  
14.06.2019

To,

1. Sh. V.K Malhotra,  
General Secretary, Sanatan Dharam Mandir  
Sector 11-B,  
Chandigarh.
2. The Superintending Engineer,  
Electricity Operation Circle  
Room no. 511, 5<sup>th</sup> Floor  
Deluxe Building, UT Secretariat  
Sector-9D, Chandigarh.
3. Executive Engineer,  
OP Division-1, Electricity Department  
UT, Chandigarh.
4. Assistant Executive Engineer,  
OP Sub-Division No.2, Sector-10,  
Chandigarh.

Copies to:

1. The Chairman, CGRF, Chandigarh.
2. Sh. Arvind, JERC for uploading the Order on JERC website.