



**HIMACHAL PRADESH ELECTRICITY OMBUDSMAN**  
**SHARMA SADAN, BEHIND KEONTHAL COMPLEX, SHIMLA-171002**  
Phone: 0177-2624525, email: [ombudsmanelectricity.2014@gmail.com](mailto:ombudsmanelectricity.2014@gmail.com)

In the matter of:

**Kamla Verma, The Residency Shimla View Estate, Kamla Niwas, Chakkar, Near HP Govt Printing Press, Shimla-171005**  
**- Complainant**

**Vs**

- 1. Executive Director (Personnel) HPSEB Ltd, Vidyut Bhawan Complex, Shimla, HP-171004**
- 2. The Assistant Engineer, Electrical Sub-Division, HPSEB Ltd, Boileauganj, Shimla, HP-171005**  
**- Respondents**

**Complaint No. 03/2023 (Received on 02/02/2023 and Registered on 06/02/2023)**  
**(Orders reserved on 06/05/2023, Passed on 08/05/2023)**

**Counsel for:**

**The Complainant: Sh. Dikken Kumar Advocate**

**The Respondents: Sh. Anil K God Advocate, Sh. Kamlesh Saklani Law Officer**

**CORAM**

**Er. K. L. Gupta**  
**HP Electricity Ombudsman**

**Order**

The case was received on 02/02/2023 and registered on 06/02/2023 after completion of shortcomings. The case was first listed for 04/03/2023. The Respondents were to file their reply by 27/02/2023 and the Complainant was to file his rejoinder by 03/03/2023. Since the Respondents didn't file their reply by even first date of hearing, the case was listed for 01/04/2023. The Respondents were to file their reply by 18/03/2023 and the Complainant was to file his rejoinder by 25/03/2023.

The Respondents filed their reply on 17/03/2023 and the Complainant was to file his rejoinder by 10/04/2023. The case was listed for arguments on 28/04/2023 which was further postponed to 06/05/2023. The Complainant filed his rejoinder on 28/04/2023. The arguments were closed on 06/05/2023 and orders were reserved. Hence the delay.



*[Signature]*  
**08/05/2023**



**A – Brief facts of the Case:**

1. Kamla Verma, The Residency Shimla View Estate, Kamla Niwas, Chakkar, Near HP Govt Printing Press, Shimla-171005 filed an appeal (hereinafter referred to as 'The Complainant') under the provisions of Regulation 28 (1) (b) of the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 against the orders passed by Additional Consumer Grievance Redressal Forum at Kasumpti (Shimla Circle) on 09/01/2023 in Complaint No. 1302/4/22/01, dated 12/10/2022. The Complainant have prayed to set aside the orders passed by the Additional Consumer Grievance Redressal Forum at Kasumpti (Shimla Circle) and also prayed for setting aside the demand raised by the Respondent Board.

**B – The Complainant's submissions:**

1. The Complainant submits that against the illegal demand raised by the Respondent Board, she preferred **Complaint No 1302/4/22/01** for redressal of the grievance before the Hon'ble Addl. CGRF (OP), HPSEB, Kusumpti, Shimla-9. Further, that vide order dated 19/01/2023, Complaint was dismissed by the Hon'ble Addl. CGRF (OP), HPSEB, Kusumpti, Shimla-9.
2. The Complainant submits that she owned a four storeyed building, known as The Residency Shimla View Estate, Chakkar, Shimla where her family members i.e Complainant's husband, Son and daughter in law and grandson are residing. Further, that the elder grandson is living and studying outside Shimla. The building is occupied only by five inhabitants and is being used for residential purposes and there is no tenant. Further, that she with her husband stay on the first floor of the building and her son, his wife and grandson stay on the second floor of the building. The ground floor of the building is used by the servant/ guests.
3. The Complainant submits that she and her husband being retired Govt servants and being old, age more than 80 years, mostly live with their elder Son at Sector 50, Noida and come to Shimla only during Summers. Further, that for the last five years except during Covid 19 pandemic, she and her husband did not return to Shimla for last two years at all and returned only in April/ May 2022.
4. The Complainant submits that she have taken three electricity connection from the Respondent Board having Consumer IDs 10001102816 (ground floor), 10001102819 (first floor) and 100001102822 (second floor). The Respondents have been issued bills from time to time and all the payments have been made timely without any delay and all the payments due up have been cleared as and when demanded.



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*05/05/2023*





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5. The Complainant submits that an issue arise pertaining to bill of the First floor energy meter, consumer Id 100001102819 in the month of June July 2022 and there was an altercation with the HPSEB on the installation of smart meters and subsequently an application was filed by her to check the consumption.
6. Further, that there was no communication initiated from the HPSEBL and she wrote an application to HPSEBL on dated 26/07/2022 about abnormal bill and meter testing which shows her bona fide intention.
7. The Complainant submits that in response the HPSEBL issued the short recovery of electricity bill against consumer ID 100001102819 for the period of notice on dated 24/09/2022 amounting to 1,16,528/- which was received by her on dated 30/09/2022. The bill is based on the Presumption that there was some error in the energy meter and presumed average consumption of electricity has been billed in the said short recovery bill dated 24/09/2022.
8. The Complainant submits that the action of the HPSEB Ltd Board is wrong that there was some error in the energy meter has been replaced with the smart meter and HPSEBL had not mentioned communicated to her about being any error in the energy meter. The HPSEB has taken the plea only after she wrote them about the smart meter and had an altercation with them.
9. The Complainant submits that the HPSEB continued to charge her regularly for all three electrical metres installed in the premises and she was making payments of all three bills time to time and there was no default ever. The copies of bills of 2020, 2021 and 2022 are attached for your reference which clearly show that amount was being charged and there was no consumption of electricity as she and her Husband, the occupier of the First Floor of the building, had not been staying in Shimla for a very long time and returned only after the second wave of Covid 19 was over.
10. The Complainant submits that she and her Husband were not using the first floor of the Residency Building Shimla View Estate, Chakkar Shimla for a very long time and they were residing in Delhi during the covid period thus there was no consumption of electricity in the ground floor of the building. However, the Complainant submits that she has been written letters to HPSEB Shimla Jal Prabandhan Nigam Limited Jakhoo Shimla for distribution of Power supply and for restoration of water supply.
11. The Complainant submits that the said electrical meter was removed by the HPSEB only and replaced with smart meter and even then nothing was communicated because the meter was in perfect running condition and did not show any reading as the same was not used for a very long time as is normal in case of the households under use by elderly couple



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who mostly stay with children in warmer climate because of their old age and more so in the recent past when Covid 19 was there.

12. The Complainant further submits that the action of the Respondent Board in issuing this bill including sundry charges i.e. the recovery bill of 24/09/2022 is wrong illegal and arbitrary and liable to be set aside. The non professional attitude is causing mental stress, harassment, pressure and financial hardship to her. Further, that the amount of Rs. 1,16,528/- is not payable by her and the action of the Respondents demanding the said amount is liable to be set aside. Further, she even otherwise cannot pay such a heavy amount at once and thus for no fault of her, the Respondents cannot disconnect the electricity supply to her premises.
13. The Complainant submits that the Hon'ble Addl. CGRF (OP), HPSEB, Kusumti, Shimla-9 passed a order in very harshly manner in **Complaint No 1302/4/22/01** dated 19/01/2023 is unjust , arbitrary and against the procedures established by the law.
14. **Nature of relief sought from the Ombudsman:** a) the Complainant thus prayed that the bill as issued and demand raised by the Respondent Board is illegal arbitrary may kindly be declared wrong, illegal and the demand may kindly be set-aside; b) the Respondents may kindly be directed not to disconnect the electricity supply to her premises; c) that the order passed by the Hon'ble Addl. CGRF (OP), HPSEB, Kusumti, Shimla-9 in **Complaint No 1302/4/22/01** dated 19/01/2023 is unjust, arbitrary and against the procedures established by the law may kindly be set aside the same, and d) any other appropriate orders or directions may kindly be passed in favour of the Complainant and against the Respondents.

**C – The Respondents' submissions:**

1. The Respondents specifically denied that the demand raised by them is illegal one. Further, that they have raised the impugned demand in terms of the mandate of law and the Id CGRF, Shimla has rightly appreciated the facts of the case and returned to well-reasoned finding wherein the Complaint filed by the Complainant stands dismissed.
2. The Respondents submit that contents of this para in so far as pertain to four story building same are not denied rest of the averments are denied for the want or Knowledge. However as per the record of the Respondents 3 No. energy meters bearing consumer IDs 100001102816, 100001102819 and 100001102822 and the date of service connection orders is 30/03/2000. Detail reply has already submitted by the Respondents before the ID CGRF, Shimla, same may be perused and read as part and parcel to the reply to this representation for the sake of brevity.



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*08/05/2023*





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3. The Respondents submits that mere stating the facts that no-body were lived in that relevant time period, will be no help to the Complainant. They being the regulated entity, is governed by the HP Electricity Supply Code, 2009 read with Abridged Conditions of supply, which are statutory in nature and as per the mandate of supply code, if Consumer wants to stay out of station for long period of time, then request has not be made to the Distribution Licensee, but in the present case at hand, no such request was made by the Complainant. Moreover, that when the energy meter was rolled out with the smart meter in the month of April, 2022, the consumption recorded in the monthly bill is as under:

**CON ID: 100001102819**

April-May 2022	272 KWH
May-June 2022	576 KWH
June-July 2022	641 KWH
July- August 2022	710 KWH
August-Sept 2022	519 KWH
Sept-October 2022	535 KWH

4. Further, that in the energy meter which was installed prior to smart meter, the consumption was record nil against the consumer ID 100001102819, However, other two electricity meters were functioning properly and the consumption patterns of these two meters are as under:

**CON ID: 100001102822**

April – May2022	63 KWH
May-June 2022	113 KWH
June- July 2022	209 KWH
July- August 2022	176 KWH
August- Sept 2022	68 KWH
Sept – October 2022	20 KWH

**Con ID : 100001102816**

April – May2022	89 KWH
May-June 2022	119 KWH



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June- July 2022 116 KWH

July- August 2022 106 KWH

August- Sept 2022 92 KWH

Sept – October 2022 105 KWH

5. Further, that the copy of consumption pattern is placed on record as annexure R-1 for the kind perusal. Further, that as self stated by the Complainant that there are no tenants in the building, the consumption patterns as depicted above leave no manner of doubt that energy is regularly consumed.

6. The Respondents submitted that when the smart meter was installed in place of earlier energy meter, then it was noticed that substantial consumption was recorded in the monthly energy bill as stated supra. Then the Respondent taking note of the consumption pattern, served notice dated 24/09/2022 for short recovery and then amount was debited by way of Sunday item in the monthly energy bill of November, 2022. Further, that Complainant has no role to play qua the installation of smart meter as the meter is the property of the HPSEBL. Further, that consumption pattern of the consumer ID 100001102819 up till January 2019 is as under.

Sept – October 2018 608 KWH

October – Nov 2018 136 KWH

Nov – Dec 2018 1045 KWH

Dec – Jan 2019 955 KWH

7. Copy of the consumption detail is placed on record as annexure R-1. The Respondents submit that bare perusal of the above consumption detail transpires that after January 2019 to April 2022, reading in the meter at site was reversed. Hence the amount as levied by the Respondent is just and legal and Complainant is liable to make the payment.

8. The Respondents submit that on receipt of request for testing of meter, Respondent placed check meter on 30/07/2022. After taking results from the check meter, it was found that the energy meter (smart meter) is working properly. A copy of MTO is placed on record as annexure R-2.

9. The Respondents specifically denied that action of the Respondent/ HPSEBL is wrong. Detailed submissions have already made in para supra, which may kindly be read in reply to these paras for sake of brevity.



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10. The Respondents submit that the content pf para No. 10 & 11 of the Complainant are not admitted.
11. The Respondents submit that the contents of para 12 and 13 of the Complainant are totally wrong, incorrect and hence denied. Further, at the cost of repetition that the demand raised by the Respondent is perfectly valid and Complainant is liable to pay the same. The Id ACGRF has passed well-reasoned and speaking order which calls for no further interference by this Id Authority.
12. The Respondents thus in view of the facts and circumstances prayed that the representation filed by the Complainant is devoid of any merits and same may be dismissed.

**D – The Complainant’s additional submissions through rejoinder:**

1. The Complainant submits that all the submissions made by Respondent are deemed to be denied unless specifically admitted. Further, that she craves leave to make further submissions at the time of hearing.
2. **Para 1 to 6:** The Complainant submits that the contents of para No. 1 to 6 of the Complaint are admitted by the Respondents calls for no rejoinder. She further reasserts and reiterate the contents of the corresponding paras of the Complaint.
3. The Complainant submits that the impugned demand raised by the Respondents is arbitrary, illegal and against the law and the order passed by the Ld ACGRF, Shimla has not appreciated the facts of the case and not applied the reasoning and dismissed the Complaint filed by her without any reason. Further, corresponding para of the Complaint are reasserted and reiterated.
4. The Complainant submits that the Respondent Board is governed by the regulations framed by the Hon’ble HPERC and exercised powers under section 50 of the Electricity Act, 2003 issued Himachal Pradesh Electricity Supply Code, 2009 so far the question of Application is concerned it will not change the legal position as the bills raised are not correct time barred. Further, that the corresponding para of the Complaint are reasserted and reiterated.
5. The Complainant submits that since it has been admitted by the Respondent that she have paid all the bills issued to her, but the amount in question has been due on account of the defective meter remained in the premises which did not show any electricity consumption for a substantial time and when the process of the installation of the smart meters were taken up in Shimla City has been explained since no one was residing in that premises hence question of the consumption of energy does not arises and plea taken by Respondent and as such the impugned demand as raised by the Respondents is illegal and unreasonable and not justified hence she is under no obligation as per law to pay the charges, same being the



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statutory charges. Further, that the impugned demand is not in accordance with the law and all the reading which has been stated to be recorded is not sustainable. Further, that consumption chart is placed on record as (Ann R-1) is denied being contrary to the regulations.

6. The Complainant submits that she made several representations to the different authorities of the State i.e. Asstt. Engineer Boileauganj Sub –Division Choura Maidan, Shimla on Dated 21/10/2019, 14/05/2022 and AGM Shimla Jal Prabandhan Nigam Ltd. Jakhu, Shimla on Dated 27/04/2022, 05/05/2022 and received by the official on dated 10/05/2022. Further, that these are the representation which shows that she is residing outside the Shimla, H.P and no electricity was consumed by her during this period.
7. The Complainant submits that abnormal bill has been issued by the Respondents to her and electricity bill was issued on erroneous consumption recorded in the smart meter.
8. The Complainant submit that the reading was taken by the staff employed by the Board who visit the premises physically to take reading of the meter and issued the bills accordingly. They were noting down the reading of all three meters and issuing the bills which were paid in full by her and her Son regularly. If there is any issue with any of the meter it could not have been escaped from the eyes of the experienced staff of the Respondent Board. Further, that the claim of the Respondent Board that the meter is defective one is an excuse.
9. The Complainant submits that the short recovery notice issued by the Respondents is neither legal nor as per law and she is not liable to pay the outstanding electricity charges on account of short recovery or any recovery. Further, that the details as have been mentioned in the notice is contrary to the law is arbitrary and illegal and since January, 2019 to March 2022, the consumption in the meter in question was nil, due to the fact no one was residing in the premises hence later the reading recorded later on is arbitrary and unreasonable. The corresponding para of the Complaint are reasserted and reiterated.
10. The Complainant submits that the demand raised by the Respondents is wrong, illegal and incorrect. Further, as submitted here in above, the said demand raised by the Respondents is not strictly in terms of the Himachal Pradesh Electricity Supply Code, 2009. Further, that when other two connection showing electricity consumption substantially, how the meter in question record nil consumption is due to the fact no one was residing in that premises. Hence, the impugned demand notice is not legal and justified and the she is not liable to pay the illegal demand. The corresponding para of the Complaint are reasserted and reiterated.



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11. The Complainant submits that the details submissions have already made in above paras which may kindly be read in rejoinder these paras for sake of brevity. Further, that the averments made her in Complaint are true as per above mentioned submission.
12. The Complainant submits that the demand raised by the Respondent Board is wrong and arbitrary and that the Ld ACGRF, Shimla has not appreciated the facts of the case and not applied the reasoning and dismissed the Complaint filed by her. The corresponding para of the Complaint are reasserted and reiterated.
13. The Complainant thus prayed that the Complaint filed by her may kindly be allowed and demand so created may kindly be quashed and set aside.

**E – Additional Consumer Grievance Redressal Forum at Kasumpti, Shimla Circle Order:**

1. The parties are present and heard at length. We have also gone through the record placed before us. The matter basically pertains to pay the outstanding electricity charges on account of short recovery after installation of smart meters against consumer Id no. 100001102819 by the Respondent Board on the present Complainant/Consumer.
2. The Respondents being the regulated entity are governed by the regulations framed by the Hon'ble HPERC and exercising powers under section 50 of the Electricity Act, 2003 issued HP Electricity Supply Code, 2009 wherein it has been provided that any consumer, if remained outside from the premises for such a long time, an application for the locked premises is required to be submitted. But mere stating that the Complainant/occupants of the premises were outside a long time does not serve the purpose, also, as per request of the Complainant, two days time was given to produce the evidence of not residing in the premises for the disputed period, but the Complainant is unable to provide the same.
3. Through the Complainant have paid all the fixed charges in the bill with zero energy consumption for the energy issued the said period, but the amount in question has been on account of the average monthly consumption for the said period in the premises which did not show any electricity consumption for the said period. Only when the process of the installation of the smart meters were taken up in Shimla city, it was found was defective one and as such the impugned demand was raised by the Respondents, which perfectly legal and justified and the Complainant is under obligation to honour the same being the statutory charges, it is stated that the impugned demand is in accordance with the law in as much as the when the existing energy meter was replaced with smart meter on 01/04/2022.
4. It is fact that in the month of July 2022, the Complainant made request for the testing of the smart energy meter after its installation and on receipt of the said request, Respondents



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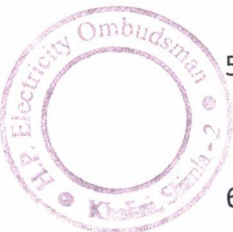
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had tested the smart meter on 30/072022 and as per the meter testing order, duly verified and signed by the Complainant, the said meter was found working satisfactory.

5. The demand on account of short energy bill charges of all the above energy meters raised by the Respondents strictly in term with the Supply Code,2009.
6. Further, the Respondents are directed to ensure the checking of zero consumption energy bills on monthly basis as per the instructions imparted in HPSEBL's sales manual.
7. The amount on account of short recovery of energy Charges as demanded by the Respondents is restricted to the principal amount of the bills only and shall be payable by the Complainant as per the rules.
8. The file is consigned to the record room along with original copy of the order. The certified copy of order be kept in safe custody in the folder of orders. Certified copies of this order be supplied to both the parties.
9. The decision is pronounced in presence of both the parties in the open court.

**F – Analysis of the Complaint:**

1. The case file from Additional Consumer Grievance Redressal Forum at Kasumpti (Shimla Circle) in Complaint No. 1302/4/22/01, dated 12/10/2022 have also been requisition and gone through.
2. The documents on record and arguments advanced by both the parties have also been gone through.
3. For the sake of clarity and for having overall view of the case on submissions by both the parties, the same have also been incorporated as such in this order.
4. The Complainant have multiple connections in the premises having four floors and the Complainant is residing at first floor having Consumer ID 100001102819, the matter of dispute between parties. She is a senior citizen and is living with her husband of age more than 80 years.
5. As per her contention, she remained out of station due to Covid-19 Pandemic and returned in June/ July 2022 to her Shimla residence.
6. At the same time, the Distribution Licensee was also in the process of installing smart meters under Smart City initiatives and the old meter was replaced during same time. Her contention is that she had some altercation with the Distribution Licensee staff on



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installation of new meter since she was no defaulter and was paying her energy bills regularly. Her contention was that since the meter was working fine and she was paying energy bills regularly, what was the necessity to replace the old meter with new one.

7. She was perhaps not aware of the smart city initiatives and which lead to some altercation with the staff replacing the meter. After abnormal bill, she made representation to Respondent Board on 26/07/2022 after which a test meter was also installed and no difference in readings was found by the Respondent Board in respect of the new smart meter.
8. She received a demand dated 24/09/2022 on average consumption of electricity for Rs 1,16,528/- for the stated period of her absence during Covid-19 Pandemic. Further, other meters in the premises was showing Consumption. On other floors of the premises, her son, her daughter-in-law and grandson (Second Floor) and Servants/ guest (Ground Floor) were residing.
9. The Respondent Board have provided chart of energy consumption for meter at first floor with Consumer ID 100001102819 for May 2022 till October 2022 and also for previous period of October 2018 till January 2019 whereas they have provided no record for the in between period of February 2020 till April 2022. The Complainant have stated that during the period of Covid-19 Pandemic, she and her husband were out of station and as such there was practically no consumption in meter with Consumer ID 100001102819.
10. The Respondent Board have also provided consumption for other two meters with Consumer ID 100001102822 and 100001102816 where her Son, daughter-in-law and grandson and servants/ guest were staying.
11. Scrutiny of demand notice dated 24/09/2022 reveals that Respondents have charged average consumption for the intervening period of her absence with remarks as 'due to some error' in the energy meter (for 39 months) 01/2019 till 03/2022. Vide Interim Order dated 04/03/2023, the Respondents were directed to provide test report of so called defective meter from their own M&T Lab in respect of old meter replaced by them. In their reply and even in their arguments, they have failed to establish that the old replaced meter was defective despite specific directions to do so.
12. It appears that they have raised the said demand after some altercation with the Complainant ignoring her pleas that they were out of station and further declaring the meter defective without getting the same from their own M&T test lab. Further, the action by the Respondents appears to be after thought without any proof of old replaced meter being defective and without following the valid procedure specified in the Himachal Pradesh Electricity Supply Code 2009.

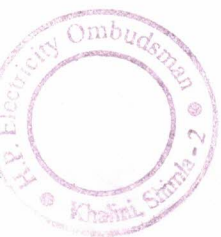


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13. Further, the Respondents have failed to realize that the Complainant is a senior citizen in their 80s with no record of default in energy bill payments and also their own commitment towards senior citizens and also ignoring the 'Rights of Consumers' to know about any charges the Respondent Board is levying.
14. Since there is no solid proof submitted by the Respondents regarding defectiveness of the old replaced meter, the benefit of doubt tilts towards the Consumer who have also submitted that she with her husband were out of station due to Covid-19 Pandemic period for which the Consumption in their meter with Consumer ID 100001102819 is almost zero for the said period.
15. The demand has been raised by the Respondents based on assumptions without any supporting documents to establish that the old replaced meter was defective. This court is not convinced by the documents/ data and arguments put forth by the Respondents that the meter was defective and they have charged average consumption based on previous data.
16. The Forum below have gone with the pleadings made by the Respondents regarding average consumption demanded for 39 months which in my considered opinion is not based on facts. They have also failed to ascertain that there is no proof of old replaced meter as being defective. The orders passed by the Forum below is this not in accordance with provisions 4.4 of the Himachal Pradesh Electricity Supply Code 2009 wherein in case the meter is found defective, testing of same has to be carried out by the Distribution Licensee in their own laboratory in presence of the Consumer where such testing is undertaken at the instance of the Licensee.
17. The arguments of the Respondents that the old replaced meters at the time of replacement with smart meters were kept in bulk and it is not possible for them to test at this stage is not convincing and is against the provisions of the Himachal Pradesh Electricity Supply Code 2009 if the Consumer is to be charged based on that old replaced defective meter.
18. The Consumer has unnecessarily been dragged in litigation by the Respondent Board without verifying the defectiveness of the old replaced meter and this court is convinced that the Consumer needs to be compensated on account of unnecessary harassment caused to such senior citizens who are in their 80s. This is fit case for awarding compensation to the Complainant.
19. Further, the letter written to Jal Prabandhan Shimla by the Complainant in support of their claim of restoration of water supply are not relevant in the present case since the same are for different premises.



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**G – Issues at hand:**

1. **Issue No. 1:** Whether the charging average consumption of old replaced meter and declaring the same as defective without proof of testing in their own lab by the Respondents is as per established procedure or not?
2. **Issue No. 2:** Whether the orders passed on dated 09/01/2023 by the Additional Consumer Grievance Redressal Forum at Kasumpti in Complaint No. 1302/4/22/01 dated 12/10/2022 is in line with the prevailing provisions of the Regulations/ Codes or not?

**H – Findings on the issues:**

**Issue No. 1**

1. As is evident from the analysis done above and the documents/ arguments on record, the action of the Respondents charging average consumption for 39 months declaring the meter as defective without any supporting proof is not in line with the established procedure as well as the provisions of the Himachal Pradesh Electricity Supply Code 2009.
2. The demand raised by the Respondents is based on assumptions only and is not supported by any proof of testing of meter in their own lab as per provisions of Himachal Pradesh Electricity Supply Code 2009.
3. Action by the Respondents without any proof of meter being defective have caused harassment to the Complainant without any fault of their and they have been unnecessarily dragged in to litigation by the Respondents. The Complainant and her husband, being in their 80s need to be compensated for the stress caused by the actions of the Respondents as explained above. This is the fit case for awarding compensation to the Complainant.

**Issue No. 2:**

1. As is evident from the analysis done above and documents on record, the Forum below have also failed to ascertain the defectiveness of the old replaced meter and they have gone with the submissions made by the Respondents in their reply.

**I – Order:**

1. The orders passed on dated 09/01/2023 by the Additional Consumer Grievance Redressal Forum at Kasumpti in Complaint No. 1302/4/22/01 dated 12/10/2022 is hereby quashed and set aside.
2. The demand raised by the Respondents vide demand notice dated 24/09/2022 for RS 1,16,528/- is hereby quashed and set aside.



*Handwritten signature and date*  
08/05/2023



**HIMACHAL PRADESH ELECTRICITY OMBUDSMAN**  
**SHARMA SADAN, BEHIND KEONTHAL COMPLEX, SHIMLA-171002**  
Phone: 0177-2624525, email: [ombudsmanelectricity.2014@gmail.com](mailto:ombudsmanelectricity.2014@gmail.com)

3. The Respondents are directed to refund the amount, so paid by the Complainant during this litigation process at Additional Consumer Grievance Redressal Forum at Kasumpti (Shimla Circle) and on filing an appeal in this Appellate Forum, in one installment through cheque/ DD drawn in favour of the Complainant within a period of 15 days from the date of issue of this order. In case of default, the interest shall also be applicable on the said amount in line with provisions of Clause 5.7.3 of Himachal Pradesh Electricity Supply Code 2009.
4. Under the power drawn from the provisions of Regulation 37 (3) (e) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, the Respondents are further directed to compensate the Complainant by an amount of Rs 10,000/- through adjustment in their next energy bill on or before 08/06/2023 positively.
5. The Respondent Board is further directed to recover the amount of compensation awarded above from the PLA of concerned Assistant Engineer of the Boileauganj Sub-division posted at the time of issuance of the demand notice dated 24/09/2022.
6. The Respondents are directed to report compliance of the above directions within a period of 30 days from the date of issue of this order or latest by 08/06/2023 positively failing which the matter shall be reported to the Hon'ble Commission for violation of directions under Regulation 37 (6) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 for appropriate action by the Commission under the provisions of the Electricity Act, 2003.
7. The Complaint filed by Kamla Verma, The Residency Shimla View Estate, Kamla Niwas, Chakkar, Near HP Govt Printing Press, Shimla-171005 is hereby disposed off.

Given under my hand and seal of this office.



*[Signature]*  
Electricity Ombudsman