



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA
Haryana Electricity Regulatory Commission
Bays No. 33 - 36, Sector - 4, Panchkula-134109
Telephone No. 0172-2572299; Website: - herc.nic.in
E-mail: eo.herc@nic.in

(Regd. Post)

Appeal No. : 35/2024
Registered on : 09.10.2024
Date of Order : 26.11.2024

In the matter of:

Appeal against the order dated 20.08.2024 passed by CGRF DHBVN Gurugram in complaint no. 4724/2024.

Shri Dixit Verma, 403, GH-07, Golden Apartments, Sector - 47, **Appellant**
Gurugram

Versus

1. The XEN Operation, DHBVN, Sohna Road, Gurugram
2. The SDO Operation, DHBVN, S/D Sohna Road, Gurugram **Respondent**

Before:

Shri Virendra Singh, Electricity Ombudsman

Present on behalf of Appellant:

Shri Rajpaul Verma father of Shri Dixit Verma

Present on behalf of Respondents:

Shri Sanjay Bansal, Advocate

Shri Rajesh Kaushik, SDO Operation, DHBVN, S/D Sohna Road, Gurugram

ORDER

- A.** Shri Dixit Verma has filed an appeal against the order dated 20.08.2024 passed by CGRF, DHBVNL, Gurugram in complaint No. DH/ CGRF 4724/2024. The appellant has requested the following relief: -

It is prayed that my son Dixit Verma (Complainant) has nominated me to represent on his behalf as his Nominee.

Description of Complaint: -

The Grievance regarding the Inflated/ wrong Bill of OCT month 2023 wherein old meter was replaced on dated 17.09.2023 with Smart Meter.

The consumption of old meter for one day is shown as 494 units which is impossible with DS sanctioned load of 10kw. The next 39 days consumption i.e. 17.09.2023 to 26.10.2024 with New Smart meter is shown as 2015 units with zero initial reading on 17.09.2023 whereas print out of daily consumption data shows initial reading as 1126.96 unit on 17.09.2023. The total units for 40 days (1+39) come out 494+2015=2509.

The aforesaid complaint was not redressed despite several visits to SDO, a written complaint bearing dairy No.4848 of Dec. 20, 2023 and even after emails to SDO, XEN and SE. Thus, these officials violated Standard of Performance by not bothering even to reply against the Grievance.

Thereafter appeal was lodged with SE (Operation), Chairman of Circle CGRF Gurugram-II.

The case was registered on 01.02.2024 and the Order dated 21.03.2024 was communicated by email on dated 27.03.2024 after the case was postponed twice.

There are so many Anomalies, lack of Transparency as well as violations of SOP, violation of Instructions for Pre and Post requisition of Binder Management Activity as per DHBVN Instructions DH-8/2017.pdf and SDO didn't comply with Instructions of DH-2/2017.pdf for billing Activity also.

The DHBVN concerned official cannot make excuses of Binder Initiation, delay of 40 days in MCO and updating in CCB and Ledger, L&T and EESL. The fact is that he didn't comply with binder activity Instructions " If meter read date is more than 7 days from the date of Binder Initiation than make sure that after the MRP activity, SDO approves the case so that it may be available on Pre-audit."

The SDO has manipulated 494 units shown for one day (16.09.2023 to 17.09.2023) in old Meter, by adjusting on the pretext of wrong reading taken by Meter reader in previous Bill cycle of Sep.2023 and taking 1126.96 reading in place of zero in New Smart Meter on 17.09.2023.

DHBVN website boast of Transparency but you didn't inform or show final reading of Old meter and initial reading of Smart meter while replacing the meter.

We are very much disappointed with Corporate CGRF. The complaint was made by email on dated 26.05.2024 but it was not acknowledged / registered by Secretary/ CGRF despite two reminders of 3rd and 19th June 2024, no mobile number for contact was given on DHBVN website and Landline was not responding.

Than Me and Dixit visited the office of Corporate CGRF HETRI bhawan and talked to LDC, Assistant at office and Secretary by phone. Thereafter our complaint was registered on 25.06.2024 after demanding fresh Annexures again.

The Corporate CGRF as well as SDO didn't adhere to time period as per Regulations Nos. 2.26, 2.27, 2.28 and 2.30 under Complaint Handling Procedure of HERC Notification No. HERC/48/2020/ 1st Amendment/2022 dated 6 April 2022.

Moreover, till date SDO didn't issue the revised DHBVN Bills as per circle 2 order which is violation of SOP and didn't allow me to check records whatever he claims, not even under RTI also.

Decision by Corporate CGRF: -

The Corporate CGRF didn't make any change of order of Circle-II CGRF. and kept the same without any Relief.

Relief Sought from the Ombudsman: -

As No revised Bills have been raised till date as per CGRF Circle-II / Corporate orders.

The old meter reading for one day i.e. 16.09.2023 to 17.09.2023 be taken as average one day of previous year i.e. 14 units against abnormal/ impossible 494 units for one day.

The initial New Meter reading of Zero as on 17.09.2023 may be taken as 1126.96 which is reflecting as per daily consumption data on DHBVN website. Thus, total Relief of $494 - 14 = 480 + 1126.96 = 1606.96$ units may be given.

Condonation of delay:

This is prayed that slight delay of more than 30 days in representation filling may be condoned.

- B.** The appeal was registered on 09.10.2024 as an appeal No. 35/2024 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 05.11.2024.
- C.** Hearing was held on 05.11.2024, as scheduled. Both the parties were present during the hearing through video conferencing. At the outset, the respondent SDO requested for 10 days' time so as to engage the counsel. The respondent SDO is directed to submit point wise reply within 15 days with an advance copy to the appellant. Acceding to the request the matter was adjourned for hearing on 26.11.2024.
- D.** The counsel for the respondent SDO vide email dated 25.11.2024 has submitted reply, which is reproduced as under:
 - 1. That the meter of the consumer was replaced by respondent department under the Smart Meter Installation Campaign Scheme of DHBVN implemented by Government. Smart meter offers a number of benefits to consumers and utility companies like energy efficiency, pre-pay scheme, reduced financial leakage. Smart meters help consumers adopt more energy efficient activities by offering precise insights in to their energy use.

Consumer can detect energy consuming appliances and recommend replacing them with more efficient equivalents. Smart meters offer a pre-pay system, reducing billing cycles from two months to immediate payments, minimizing financial leakage. So, the traditional meter of the consumer was replaced by smart meter under the Government's Scheme.

Point wise Reply: -

1. The Grievance regarding -----with smart meter.

That the contents of above stated point are matter of record to the extent that the inflated bill is of Oct 2023, but the rest of the contents are wrong that the old meter was replaced on dated 17-09-2023. The old meter serial no. HR011941 of the appellant was replaced by L&T team during smart meter installation campaign vide L&T EESL receipt no. 350337/ 7008 on dated 08-08-2023.

2. The consumption -----comes out 494 + 2015=2509.

That the contents of above stated point are replied that when the account of the appellant was scrutinized and found that the consumer was billed with old meter readings of 51873 KWH units up to 16-09-2023 and billed with new meter readings from 17-09-2023 to 26-10-2023 vide bill Id No. 912679238630 and 912676192133 generated on dated 16-09-2023 and 26-10-2023 respectively. However, the appellant's bill was generated with less readings from 08-06-2023 to 16-09-2023 with 1527 KWH readings (due to wrong meter reading record as 51379 KWH instead of 51873 KWH) in 100 days and excess readings from 16.09.2023 to 26.10.2023 (having actual final reading 51873 KWH on dated 08.08.2023 instead of 16.09.2023 as depicted in bill due to real time basis record entry) with 2509 KWH readings in 40 days. Hence, consumer was charged with telescopic rates from 08.06.2023 to 16.09.2023 and flat rate from 16.09.2023 to 26.10.2023. The account has been billed as under:

Amount Charged from 08-06-2023 to 16-09-2023

Amount Charged from 16-09-2023 to 26-10-2023

Total Amount Charged from 08-06-2023 to 26-10-2023

Days	Units	SOP	FSA	ED	M Tax
100	1527	7495	718	153	164
40	2509	17814	1179	251	380
140	4036	25309	1897	404	544

3. The aforesaid -----the Grievance.

That the contents of above state point are wrong and incorrect, hence denied.

4. Thereafter -----postponed twice.

That the contents of above stated point are matter of record.

5. There are -----Activity also.

That the contents of above stated point are wrong, hence denied.

6. The DHBVN-----Pre- Audit

That the contents of above stated point are incorrect, hence denied.

7. The SDO -----Smart Meter

That the contents of above stated point are replied that the amount chargeable from 08-06-2023 to 08-08-2023 = 61 days

Amount chargeable from 08-08-2023 to 26-10-2023 = 79 days

Total amount chargeable from 08-06-2023 to 26-10-2023 is as under: -

Days	Units	SOP	FSA	ED	M Tax
61	2021	14349	950	202	306
79	2015	11575	947	202	251
140	4036	25924	1897	404	557

In case the bill would have been generated on actual MCO record entry basis instead of real time basis, the consumer would have required to pay excess bill amount of Rs. 628 (615 +13)

8. DHBVN -----the meter

That the contents of above said point are incorrect, hence denied.

9. We are -----responding

That the contents of above said point are matter of record.

Observations by Ld. CGRF: -

That the Ld. Forum observed that the meter (serial no. HR011941) of the consumer having consumed units 51873 KWH was replaced by L&T team during smart meter installation campaign vide L&T EESL receipt no. 350337/7008 on dated 08.08.2023 and the new meter (serial no. GP8519392) was installed at 0 KWH initial readings. The MCO was late updated in CCB and in ledger on dated 17.09.2023 instead of 08.08.2023 due to binder initiation. Further, account was scrutinized on consumer complaint and found that the consumer was billed with old meter readings of 51873 KWH up to 16.09.2023 and billed with new meter readings from 17.09.2023 to 26.10.2023 vide bill Id. 912679238630 and 912676192133 generated on dated 16.09.2023 and 26.10.2023 respectively. However, consumer bill was generated with less reading from 08.06.2023 to 16.09.2023 with 1527 KWH readings (due to wrong meter reading record as

51379 KWH instead of 51873 KWH) in 100 days and excess readings from 16.09.2023 to 26.10.2023 (having actual final reading 51873 KWH on dated 08.08.2023 instead of 16.09.2023 as depicted in bill due to real time basis record entry) with 2509 KWH readings in 40 days. Hence, consumer was charged with telescopic rates from 08.06.2023 to 16.09.2023 and flat rate from 16.09.2023 to 26.10.2023.

Sir, after going through the record available on file and hearing both the parties, the Forum emerged that the energy bill amount for the month of Oct-2023 is correct as per computerized billing system and is rather beneficial to the consumer. Hence the complaint was disposed off without requiring any revision in the bill.

So, it is, therefore, prayed that keeping in view the above contentions of the respondent department the present appeal of the appellant may kindly be dismissed. And pass any other order in favour of respondent in the interest of justice.

- E.** Hearing was held today, as scheduled. Both the parties were present through video conferencing. At the outset, the appellant submitted that the consumption of old meter for one day is shown as 494 units which is impossible with DS sanctioned load of 10 kw. The SDO has manipulated 494 units shown for one day (16.09.2023 to 17.09.2023) in old Meter, by adjusting on the pretext of wrong reading taken by Meter reader in previous Bill cycle of Sep. 2023 and taking 1126.96 reading in place of zero in New Smart Meter on 17.09.2023.

Per contra, the respondent SDO submitted that the smart meter was installed on 08.08.2023 at Zero kWH and old meter was removed at 51873 reading. The MCO was updated in the CCB on 17.09.2023 instead of 08.08.2023 due to binder initiation. Since the MCO has been updated on 17.09.2023 that's why the system shows 1127 units instead of Zero. Whereas L&T company had installed smart meter at zero reading in the appellant's premises on 08.08.2023. Further, the respondent submitted that the amount charged from 08.06.2023 to 16.09.2023 and from 16.09.2023 to 26.10.2023 has already been rectified on the basis of actual consumption of the old as well as new meter.

- F.** The operative part of the order dated 20.08.2024 issued by CGRF, DHBVN Gurugram is as under:

The Forum observed that the meter (serial no. HR011941) of the consumer having consumed units 51873 KWH was replaced by L&T team during smart meter installation campaign vide L&T EESL receipt no. 350337/7008 on dated

08.08.2023 and the new meter (serial no GP8519392) was installed at 0 KWH initial readings. The MCO was late updated in CCB and in ledger on dated 17.09.2023 instead of 08.08.2023 due to binder initiation. Further, account was scrutinized on consumer complaint and found that the consumer was billed with old meter readings of 51873 KWH up to 16.09.2023 and billed with new meter readings from 17.09.2023 to 26.10.2023 vide bill id 912679238630 and 912676192133 generated on dated 16.09.2023 and 26.10.2023 respectively. However, consumer bill was generated with less reading from 08.06.2023 to 16.09.2023 with 1527 KWH readings (due to wrong meter reading record as 51379 KWH instead of 51873 KWH) in 100 days and excess readings from 16.09.2023 to 26.10.2023 (having actual final reading 51873 KWH on dated 08.08.2023 instead of 16.09.2023 as depicted in bill due to real time basis record entry) with 2509 KWH readings in 40 days. Hence, consumer was charged with telescopic rates from 08.06.2023 to 16.09.2023 and flat rate from 16.09.2023 to 26.10.2023.

After considering the reply of both the complainant and SDO and submissions made by them in the hearing, the Forum directs the SDO (OP) Sohna Road to charge the consumer as per mentioned his office memo no. 6381 dt. 30.07.2024. The case is closed. No cost on either side.

- G.** After hearing both the parties and going through the record made available on file, it is observed that the smart meter was installed in premises of the appellant on 08.08.2023 at Zero reading and the old meter was removed at reading of 51873 units. But due to non-updating of MCO in the system up to 17.09.2023, the billing continued old meter reading showing wrong reading. MCO was updated in the System on 17.09.2023. The account of the appellant was rectified on the basis of actual reading recorded in old meter and smart meter at the time of effecting MCO on dated 08.08.2023, and onwards consumption recorded in smart meter. Therefore, contention of the appellant that initial reading of new meter was 1126.96 units at the time of installing smart meter and 494 units has been manipulated in old meter is not substantiated. Hence, the decision dated 20.08.2024 issued by CGRF, DHBVN Gurugram is upheld. The instant appeal is disposed of accordingly.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 26th November, 2024.

Sd/-

(Virendra Singh)

Electricity Ombudsman, Haryana

Dated: 26.11.2024

CC-

Memo. No. 4092-98/HERC/EO/Appeal No. 35/2024

Dated: 27.11.2024

1. Shri Dixit Verma, 403, GH-07, Golden Apartments, Sector - 47, Gurugram.
2. The Managing Director, DHBVN, Vidyut Sadan, Vidyut Nagar, Hisar

3. Legal Remembrancer, Haryana Power Utilities, Sec- 6, Panchkula
4. The Chief Engineer Operation, DHBVN, Delhi Zone
5. The SE Operation, DHBVN, Gurugram-II HVPNL Complex, Near Police Line, Mehrauli Road, Gurugram
6. The Executive Engineer Operation, DHBVN, Sohna
7. The SDO Operation, DHBVN, Sub Division Sohna Road, Gurugram

Appeal No. 35/2024/EO