

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt. Anjum Faiza
D/o Shri Abdul Latif
Lane no. C-15, Turner Road,
Patel Nagar, Dehradun,
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (South),
Uttarakhand Power Corporation Ltd.
18 EC Road, Dehradun, Uttarakhand

Representation No. 14/2023

Order

Dated: 30.05.2023

Being aggrieved with Consumer Grievance Redressal Forum, Garhwal Zone (hereinafter referred to as Forum) order dated 21.02.2023 in her complaint no. 134/2022 before the said Forum, against UPCL through Executive Engineer, Electricity Distribution Division (South), Uttarakhand Power Corporation Ltd. 18, EC Road, Dehradun, Uttarakhand (hereinafter referred to as respondent) Smt. Anjum Faiza D/o Shri Abdul Latif, Lane no. C-15, Turner Road, Patel Nagar, Dehradun has preferred the instant petition for correction of her bills.

2. The petitioner has submitted the instant appeal dated 25.03.2023 wherein she has averred that she is a consumer of UPCL for 4 KW domestic load since 14.04.2003. She is a illiterate, divorcee, 48 years old lady. The Forum order is not acceptable to her being wrong, misleading, issued without conducting an unbiased investigation, and relying upon consumer history and MRI report. The Forum did not pass judicious order. Check meter was installed on 22.03.2022 and finalized on 25.04.2022 in her absence. She has challenged the check meter report but no action was taken. MRI of the meter was not done in her presence. The officers/staff took her signatures afterwards on the paper. She has requested that her bills be ordered to be corrected and compensation for causing harassment by the staff of the respondent be also granted. She has also submitted application for stay. (Interim stay was granted on

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27.03.2023, 13.04.2023 was fixed for disposal of the stay application, the interim stay was vacated as the petitioner did not appear on the scheduled date for arguments on her stay application.)

3. Forum perused the file and heard arguments from both parties. It was submitted before the Forum that the bills have been issued on actual meter readings. The last payment by the petitioner was made on 26.11.2021 where after no payment has been made. The Forum also perused the consumer history and MRI reports and found that bills have been issued on meter readings which are in confirmation with the MRI reports, which in view of the Forum were correct and no correction in the bills were required so they concluded that no relief is admissible on the merits of the case and the complaint is liable to be dismissed. So they dismissed the complaint vide their order dated 21.02.2023.
4. Respondent, Executive Engineer has submitted his written statement vide letter no. 118 dated 12.04.2023. He has submitted that no comments or reply on point no. 1, 2, 4, 7, 9, 12, 13, 14 and 15 is required to be given. Regarding point no. 3 the respondent has submitted that bills to the petitioner are being issued on actual meter readings taken by the authorized firm M/s TDS Pvt. Ltd. Meter readings appearing in the billing history were found correct as per MRI. A check meter was installed in consumer's premises on 22.03.2022, which was finalized on 25.04.2022. No variance in the consumption recorded by the main meter and the check meter was found, which confirms that the meter no. 15587302 installed at consumer's premises is working correctly. He has adduced a copy of the billing history and has averred that as per this billing history consumption in different months are different. He has denied petitioner's averment that the check meter was installed and finalized in her absence because the consumer herself signed both the sealing certificates. Bills have been issued on meter readings, which are in conformity with MRI. He has further stated that as the main meter was found working correctly in check meter study, there is no justification for correction in the bills. He has also stated that the department is responsible only up to the input point of the meter and the consumer herself is responsible for any irregularity on the output of the meter, copy of billing history and MRI report has been adduced with written statement to substantiate his submissions.

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5. The petitioner has submitted a rejoinder dated 28.04.2023 with affidavit under oath dated 18.04.2023. No new facts about the case has been submitted in the rejoinder except a reference of some case pending before the Hon'ble High Court Nainital, which has no concern with the instant petition.
6. Hearing in the case was held on scheduled date 17.05.2023. Petitioner herself appeared and argued her case SDO and AE (Meter) appeared on behalf of the respondent and argued on behalf of the respondent. Arguments were concluded. 30.05.2023 was fixed for pronouncement of order.
7. Records available on file have been perused. Arguments heard from both parties. A perusal of the records including billing history and MRI reports shows that the bill have been issued on meterd units veracity of the existing meter was also established from a check meter study conducted from 22.03.2022 to 25.04.2022 where no variation in the consumption recorded by the 2 meters viz. main meter and the check meter was found. Such being the case no correction in the bill is required and the Forum order need not be interfered with, which is upheld and the petition is dismissed.

Dated: 30.05.2023


(Subhash Kumar)
Ombudsman

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