

for Mr. Ambir

**Office of Electricity Ombudsman**  
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)  
**B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057**  
(Phone No.: 32506011, Fax No.26141205)

**Appeal No. F. ELECT/Ombudsman/2006/107**

Appeal against Order dated 17.05.2006 passed by CGRF – BYPL on Complaint No. CG-261/08/05 (K.No.614-1556623 PIV 052)

**In the matter of:**

Shri Gyan Chand Gupta - Appellant

**Versus**

M/s BSES - Yamuna Power Ltd. - Respondent

**Present:-**

**Appellant** Shri Surinder Singh authorised representation of appellant

**Respondent** Shri Kalyana Sundaram, Business Manager  
Shri Rajeev Ranjan, Senior Legal Officer  
Shri Ravinder Singh Bisht, Asstt. Grade - II  
Shri Hemant Gupta, Advocate on behalf of BYPL

Date of Hearing: 14.11.2006, 27.11.2006  
Date of Order : 15.12.2006

**ORDER NO. OMBUDSMAN/2006/107**

The Appellant applied for 10 KW industrial power connection .He deposited Rs.20,405/- on 29.4.99 and Rs.1,550/- on 18.7.99.After making the last payment of Rs.12,750/- in June 01 upto meter reading 730 units the appellant requested for disconnection of supply on 30.6.01 .It requested for disconnection again on 22.10.01. The supply was disconnected by DISCOM on 29.12.01 at meter reading 1336 units.

When the appellant failed to get the refund of security deposit against disconnected connection applied for by him he filed a complaint before CGRF.

CGRF in its order dated 29.11.05 directed BYPL to revise the consumer's bill based on actual consumption for the reading of 1336 units without LPSC and giving due credit to all payments made by the consumer. It also ordered that security amount be refunded with 18% interest from the date of application made for refund.

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The appellant filed this appeal as the correct bill has not yet been issued by BYPL and no action taken on his letter dated 22.3.2006 addressed to CGRF in this regard. The appellant also stated in the appeal that BYPL has taken considerable time to disconnect the supply due to which he has been charged minimum charges upto the date of disconnection.

On receipt of comments and submissions from both the parties, date of hearing was fixed on 14.11.06.

On 14.11.06 Shri Surinder Singh, Advocate attended on behalf of appellant.

Shri Hemant Gupta, Advocate, Rajeev Ranjan, Senior Legal Officer, Shri Kalyana Sundaram, Business Manager alongwith Shri Bisht, Asstt. Grade – III attended on behalf of the Respondent. During hearing, various issues raised by the appellant were discussed. The DISCOM officials informed that security amount is only Rs.2,000/- i.e. Rs.1800/- against 9 KW power load and Rs.200/- against 1 KW light load. They further stated that meter installed on 1.3.2000 was found faulty till 9.12.2000 and the assessment was done on the basis of average consumption of new meter i.e. from 9.12.2000 to 27.12.2001.

The appellant contended that his consumption with the new meter for 1 year (w.e.f.9.12.2000 to 29.12.01) was only 1336 units. It was so low that it was within the minimum charges applicable as such there is no need for assessment. This submission of the appellant is correct and agreed to by the respondent.

As per the statement of account submitted by the Respondent, outstanding dues of the appellant upto December 2001 are shown as Rs. 13050.70 including LPSC. Appellant has made a payment of Rs.3600/- on 17.7.06 for filing this appeal. The balance amount may be determined after adjustment of refund of security deposit of Rs.2000/-alongwith interest at Bank Rate w.e.f. June 2003 when Electricity Act, 2003 came into effect. For the prior period, i.e. 1999-2003 appellant could not produce any office order prior to 2003 in this regard.

DISCOM is directed to issue the revised bill as directed above within 2 weeks.

The CGRF order is set aside.

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(Asha Mehra)  
Ombudsman