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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/2007/162

Appeal against Order dated 06.09.2005 passed by CGRF – BRPL in Case No.CG/215/2005

In the matter of:

Shri S. P. Sharma - Appellant

Versus

M/s BSES Rajdhani Power Ltd - Respondent

Present:-

Appellant Shri S. P. Sharma
Shri Gautam Gambhir

Respondent Shri Hemant Verma, Business Manager (Div.) Khanpur
Shri Manish Singh, Commercial Officer, Khanpur.

Date of Hearing: 17.07.2007

Date of Order : 31.07.2007

ORDER NO. OMBUDSMAN/2007/162

Appeal dated 16.4.07 is filed against the CGRF order dated 6.9.05 in CG no. 215/2005 regarding inflated bill. The appeal is filed 18 months after the CGRF's order.

The appellant prayed for condonation of delay as he had been trying to get the CGRF order implemented by the Discom all this while. In fact the sequence of events on the basis of records shows that the CGRF after passing its order on 6.9.05 asked the Business Manager for status of replacement of meter. After 4 months i.e. on 5.1.06 the CGRF sent a reminder to the Business Manager which he replied on 12.1.06. On 15.5.06 i.e. after another 4 months the Business Manager submitted a revised statement of account showing the amount due from the appellant as Rs.82,038/- as against Rs.2,21,193/- shown in the bill of July 2005.

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Later on 23.11.06 after almost 6 months a meeting was held in the chamber of CGRF's Chairman pursuant to which the Business Manager submitted calculations on 8.12.06. Despite the above exercise, the order of the CGRF was not implemented correctly and finally the CGRF ordered the Business Manager to sort out the matter regarding the bill with the appellant. It was only on 16.3.07 i.e. after another 3 months that the CGRF forwarded the Business Manager's letter to the appellant stating that the bill of Rs.79,671/- was OK.

Since the appellant is not responsible for delays in the implementation of the CGRF order the delay in filing the appeal before the Ombudsman is condoned.

The issue of double billing of a single connection had been resolved satisfactorily and therefore is not considered here. The other complaint regarding dues of Rs.2,21,193.50P against K. No. 2511 N185 0116, was pending before CGRF for want of clarification from the Business Manager.

The CGRF in its order dated 6.9.05 directed the Business Manager to submit a statement of account showing the provisional bills raised by the Discom and the payments received from the complainant during this period. The CGRF also ordered that a copy of the statement of account would be given to appellant for his record.

Despite the above CGRF order, it is stated by Shri S. P. Sharma the appellant that the said statement was not provided to him despite several visits to the Discom office and efforts made by him to obtain the same from the Discom. The Business Manager also informed the CGRF (8 months after CGRF order of 6.9.05) vide his e-mail dated 15.5.06 that in accordance with the CGRF order the net payable amount was determined at Rs.82,038.60P.

But the Business Manager did not forward copy of the said statement either to the CGRF for verification or to the appellant even though it was clearly directed in the CGRF order.

Also it is not clear from the working sheet (of the Discom) whether slab benefit is given to the appellant or not. It is not known how a bill raised earlier of Rs.2,21,193/- was reduced to Rs.82,038/- and further revised to Rs.79,671/-

The appellant filed another complaint with CGRF on 8.2.07 stating that bill up to May 2001 had already been paid and settled on 18.6.01. This bill was never in dispute and the copy of paid bill of Rs.22,462/- was also enclosed. He repeated his complaint that statement of account had still not been given to him. The appellant was still not certain whether the amount of Rs.22,462/- paid by him had been accounted for or not and whether the assessment was done for the correct period or not. He was still unsatisfied and therefore filed the appeal before the Ombudsman.

After scrutiny of the contents of appeal the CGRF records and the submissions made by the Discom the case was fixed for the hearing on 17.7.07.

On 17.7.07 the appellant Shri S. P. Sharma attended in person along with Shri Gambhir his relative.

Shri Hemant Verma, Business Manager (Div.) Khanpur attended along with Shri Manish Singh, Commercial Officer, Khanpur.

The case was discussed. The submissions made by the Business Manager along with the letter dated 28.6.07 show that **as against the revised bill of Rs.82,038/- the total demand now worked out as on 28.4.06 is Rs.16,144.63P**. The appellant has made a payment of Rs.27,000/- being 1/3rd of the assessed amount as required under the DERC regulations for filing the appeal before the Ombudsman. Considering this payment of Rs.27,000/- the Discom has worked out a refund of Rs.10,855.37P.

Shri Manish Singh, Commercial Officer submitted that the appellant has requested for a commercial connection. Therefore instead of crediting this amount against his domestic connection which has a nominal bill, the amount of Rs.10,855/- due to the appellant, may be credited/adjusted against the demand for the commercial connection. The appellant has no objection to this.

Accordingly the demand of Rs.82,038.60P is deleted resulting in refund of Rs.10,855.37P which will be shown as credit against the appellant's commercial connection.

The order of the CGRF is set aside.

अशा मेहरा
(Asha Mehra)
Ombudsman