

Office of Electricity Ombudsman

(A Statutory Body of Govt. of NCT of Delhi Under the Electricity Act, 2003)

B-53, Pashimi Marg, Vasant Vihar, New Delhi- 110057

(Phone No. 32506011, Fax No. 26141205)

Appeal No. F.ELECT/Ombudsman/2007/178

Appeal against Order dated 01.03.2007 passed by CGRF – BRPL in Case No.CG/01-2007.

In the matter of:

Shri Surinder Singh - **Appellant**

Versus

M/s BSES Rajdhani Power Ltd. - **Respondent**

Present :

Appellant : Shri Surinder Singh attended in person

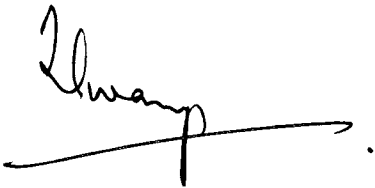
Respondent : Shri A.K. Tyagi, Business Manager,
Shri Manoj Kumar Engineer.

Date of Hearing : 25.10.2007

Date of Order : 01.11.2007

ORDER NO. OMBUDSMAN/2007/178

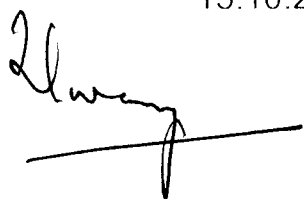
1. The Appellant has filed this appeal against the order of the CGRF dated 01.03.2007 in case no. CG/01-2007.
2. The grievance of Shri Surinder Singh, the Appellant is that:
 - (i) Connection no. 2550L4640396 was sanctioned / installed for property no. 511, 5th floor, Ansal Chamber –II, Bhikaji Cama Place, New Delhi – 110 017 belonging to his aunt who is the owner and lives abroad. The property is being looked after by



the Appellant since April 1998. The Appellant's plea is that the premises is lying vacant since April 1998 and the meter against the connection was removed on 15.10.2002. The Appellant furnished a copy of a certificate issued by the Star Estate Management Ltd. which manages the complex, certifying removal of the meter on 15.10.2002 due to non-payment.

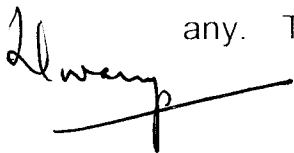
(ii) The Appellant received a bill in the month of March 2004 for an amount of Rs.1,14,289/- and on his representation the bill was revised by the Respondent BRPL to Rs.88,265/-. Not satisfied, the Appellant filed a complaint before the CGRF. The CGRF in its order directed the Respondent to further revise the bill on minimum guarantee charges / fixed charges basis for the period from April 1998 to 15.10.2004 which was considered as the date of disconnection and removal of the meter. The CGRF further ordered that fixed charges be also recovered for a period of 6 months after 15.10.2004 as per the provisions in the tariff.

3. The Appellant has filed this appeal praying that the CGRF had erred in considering 15.10.2004 as the date of disconnection of supply and removal of meter. The meter removal date be taken as 15.10.2002 and not 15.10.2004 and no minimum / fixed charges be recovered since the premises was not in use.
4. After scrutiny of the appeal and written submissions made by the Respondent and the records of the CGRF, the case was fixed for hearing on 25.10.2007. On 25.10.2007 the Appellant is present in person and on behalf of respondent Shri A. K. Tyagi Business Manager and Shri Manoj Kumar Engineer are present.
5. The Appellant stated that the meter was in fact removed on 15.10.2002 and not on 15.10.2004 as stated by the Respondent. He

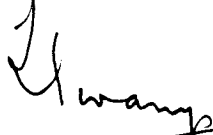


also produced the original report of meter removal, copy of which was taken on record. He also stated that he had not received any bills from 1998 onwards, nor had he made any payment. He first received a bill in March 2004, while the meter was removed for non-payment on 15.10.2002 as per the certificate issued by the Star Estate Management Ltd., who are maintaining the complex. He confirmed that he was not present at the time of removal of meter.

6. The Respondent stated that regular bills had been sent to the Appellant at his premises in Bhikaji Cama Place, but these were not paid. From the original meter removal report and their own record, it is clear that supply was disconnected and the meter was removed on 15.10.2004 and not on 15.10.2002 as claimed by Appellant. The CGRF had therefore rightly ordered recovery of minimum / fixed charges from April 1998 onwards upto 15.10.2004.
7. After hearing both the parties and after going through the record, it is seen from the original meter removal particulars produced by Appellant that the meter was infact removed on 15.10.2004 and not on 15.10.2002, as claimed by the Appellant. The copy of the meter removal report earlier produced by the Appellant has an overwriting, changing the date of meter removal from 15.10.2004 to 15.10.2002. The Appellant could not give any other documentary evidence to substantiate his claim except the certificate from Star Estate Management (Pvt.) Ltd. This cannot be relied upon as this shows a different date of removal of meter from that shown in the meter removal report of the DISCOM, produced in original by the Appellant himself at the hearing. The Appellant is liable to pay the minimum / fixed charges up to 15.10.2004 alongwith consumption charges, if any. The CGRF has already given other relief to the consumer.



I therefore, do not wish to interfere with the order of the CGRF, which should be implemented within 21 days of this order. Respondent has furnished a statement of amount due from Appellant based on the orders of CGRF. A bill of Rs.27101,91 be raised accordingly for payment by the Appellant, without further delay.


(Suman Swarup)
Ombudsman