

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/2007/181

Appeal against Order dated 27.09.2006 passed by CGRF – BRPL in Case No.: CG/252/2006.

In the matter of:

Shri Anil Grover

- Appellant

Versus

M/s BSES Rajdhani Power Ltd

- Respondent

Present:-

Appellant

Shri Anil Grover attended in person

Respondent

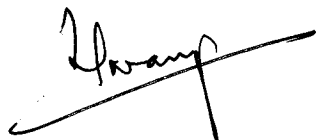
Shri Anil Kumar Tyagi, Business Manager
Shri Dharmender Ahuja, Commercial Officer

Date of Hearing : 28.09.2007, 04.10.2007

Date of Order : 04.10.2007

ORDER NO. OMBUDSMAN/2007/181

1. The Appellant has filed this appeal against CGRF-BRPL's order dated 27.9.06 in case No. CG/252-2006, stating that CGRF's order be set aside as the main issue of reversal of credit entry in his bill has not been decided upon.
2. The grievance of the consumer is that:-
 - a) A credit entry of Rs.1,71,937.69/- was reflected in his bill for January 2003. This credit amount got reduced to Rs.1,55,972.89/- in the July 2003 bill received in September 2003, and in the same bill a debit entry of Rs.1,86,517.11/- was reflected, with a net payable amount of Rs.36,942.62/-. The Appellant took up the matter with respondent on



20.9.03 asking for reasons for reversal of the credit entry. From September 2003 till June 2006 the appellant continued to raise the above issue in writing with respondent many times, but did not receive any reply.

- b) Respondent changed the old meter, and installed an electronic meter on 10.9.04 and after change of the meter, the monthly consumption recorded was higher than the usual consumption. This complaint of higher consumption was brought to the notice of respondent in writing after payment of Rs.50/- on 8.4.05, but the meter was not tested till June 2006. During this period the appellant was harassed many times with disconnection notices for payment of dues.
 - c) Appellant filed a complaint before the CGRF on 29.06.2006. The CGRF after hearing both parties came to the conclusion that this is not a case of reversal of credit entries, or debit entries rather it is a case where correction had to be made against a duplicate entry of amount credited to the consumer.
3. Not satisfied with the CGRF's order the appellant has filed this appeal. After scrutiny of the appeal, CGRF's orders, and reply and records submitted by the respondent, the case was fixed for hearing on 28.9.07.
4. On 28.9.07 appellant Sh. Anil Grover was present in person. On behalf of respondent Sh. Anil Kumar Tyagi, Business Manager and Sh. Dharmender Ahuja, Commercial Officer were present.

Both parties were heard. The facts are that the connection with K.No. 2530N3240012 was transferred and energized in the name of Sh. Anil Grover on 9.8.2000. The bills issued after 09.08.2000 contained a huge amount of arrears. As a result of the arrears shown, no payment was made by appellant up to March 2002. Later on, the respondent noticed the mistake and the arrears reflected in the bills for the period 09.08.2000 to March 2002 were deleted in July 2002, and the appellant paid the revised bill for an amount of Rs.8,560/- on 6.9.02. The Respondent again made a credit entry in September 2002 and this resulted in raising of bills indicating a large credit amount, due to which no payment was again made by appellant after 6.9.02 till November 2003.

5. After considering the facts, it is evident that appellant is liable to pay only for energy consumption recorded by the meter installed/transferred to his name w.e.f. 9.8.2000 onwards. The Respondent was asked to prepare a complete statement of account w.e.f. 9.8.2000 onwards, indicating the consumption, bills raised and payments received, and produce the same on 4.10.07 i.e. on the next date of hearing, without reflecting the errors in debit

[Handwritten signature]

and credit entries. It was also decided that a copy of the statement be given to the Appellant also before the hearing.

6. On 4.10.07 appellant Sh. Anil Grover attended in person. On behalf of respondent Sh. Avnish Gupta, Business Manager and Sh. Dharmender Ahuja, Commercial Officer were present. Both parties were heard. The Respondent stated that the copy of the statement of account has already been provided to the appellant. The Appellant sought a clarification regarding a consumption of 287 units between the period 9.8.2000 to 22.3.2001, where the billed amount was shown as Rs.8063.14/- which appeared to be too high.

The Respondent explained that the billed amount comprised of two parts i.e. the actual energy consumption, plus minimum charges when consumption is low. The minimum charges, applicable @ Rs.200/- per KW are in accordance with the tariff provisions for the relevant period as appellant had a sanctioned load of 4 KW. The Appellant was satisfied with the statement of account, but pleaded that after September 2003, he had made a number of representations against reversal of credit entry in his bills but no reply was given to him by the respondent for years together and he was harassed with disconnection notices. Also though, he had requested for meter testing and had deposited Rs.50/- on 8.4.05 for meter testing the meter was tested belatedly only on the orders of CGRF on 17.11.06 and again on 16.3.07. Although the meter was found to be working within permissible limits, the appellant pleaded that for harassment caused to him, suitable compensation be allowed.

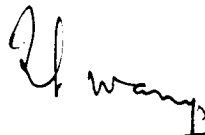
7. After hearing both the parties and perusal of records produced, it is seen that appellant has indeed been harassed due to accounting errors made by Respondent between 09.08.2000 to July 2003. In the first instance, the Respondent raised arrear claims which were not due from appellant. Thereafter these arrears were deleted on detection of the error, after representations by appellant. These arrears were again deleted resulting in a credit bill. Again the accounting error was detected and rectified after about a year i.e. in September 2003. No reply was given to the appellant despite repeated written representations. It is therefore directed that no LPSC be levied on bills raised between 09.08.2000 to September 2003, and only actual energy consumption bill be recovered.
8. The statement of account submitted by the Respondent also indicates that the appellant had not paid actual energy consumption bills during the period January 2005 to May 2005 and September 2006 to May 2007. The Appellant stated that this may be due to non-receipt of bills. After considering the facts, it is decided that these bills are payable by Appellant along with LPSC leviable. After adjusting the payments already made by



the appellant, the net payable amount along with applicable LPSC be recovered in 3 equal installments. The total amount payable as worked out upto September 2007 is Rs.81118/- as per statement submitted by the respondent.

9. **There has also been undue delay in testing of the meter of the consumer even after the orders of the CGRF. For harassment caused to the consumer, first due to raising of bills with arrears not due from him, Secondly for raising bills with a huge credit amount, and Thirdly for delay in testing of the meter, a compensation of Rs. 2500/- is awarded to the consumer.**

The order of CGRF is modified to the extent indicated above.


(Suman Swarup)
Ombudsman