

OFFICE OF THE ELECTRICITY OMBUDSMAN

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

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

(Phone No.: 011-26144979)

Appeal No. 20/2021

(Against the CGRF-BRPL's order dated 12.02.2021 in CG. No. 98/2020)

IN THE MATTER OF

Shri Darshan Lal

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Shri Darshan Lal

Respondent : Shri S. Bhattacharjee, Sr. Manager, Shri Satyendra Singh, C.O., Ms. Nishi Sejawal, Sr. AAO and Shri Deepak Pathak, Advocate, on behalf of BRPL

Date of Hearing: 24.09.2021

Date of Order: 12.10.2021

ORDER

1. The Appeal No. 20/2021 has been filed by Shri Darshan Lal against the order of the Forum (CGRF-BRPL) dated 12.02.2021 passed in CG No. 98/2020. The issue concerned in the Appellant's grievance is regarding the inflated bill received by him during the period March, 2020 to July, 2020, against his connection bearing C.A. No.102293916 installed at D-7, Krishan House Complex, Maidan Garhi, New Delhi -110068.

2. The brief background of the appeal arises from the facts that the Appellant started receiving inflated bills against his electricity connection from March, 2020 onwards. He approached the Discom (Respondent) with the request that since he is receiving higher bills so the same may be got checked, but the Discom conveyed him that he is receiving the right bills and there are no discrepancies in

the same. The Appellant also submitted that he wrote many letters/e-mails to the various officers of the Discom but his plea was not heard. As his grievance was not being attended by the Discom so he approached the CGRF, for resolution of his grievances, wherein he also deposited an amount of Rs.8,500/- out of the pending dues as per their directions. The CGRF vide its order decided that the bills being raised by the Discom are in order and the Appellant is directed to make payment of the balance amount after waiver of the LPSC charges for the Covid-19 period. Since, in view of above decision, the Appellant being not satisfied, he has preferred this appeal with the prayer to get this matter of receiving inflated bills continuously since last year resolved to his satisfaction.

3. The Discom in its reply submitted that the grievance of the Appellant in the instant appeal is that he got an inflated bill in the month of July, 2020. The said bill was for the period of March, 2020 till July, 2020, as the readings could not be taken during this period due to Covid-19 Pandemic. The meter of the Appellant was also got tested and the same was found within the limits as also observed by the CGRF in their order. In view of the facts, that the meter was found within the accuracy limits, there is presumption of proper functioning of the meter and as such unless proven otherwise by the Appellant, it cannot be presumed that he was getting inflated bills. Further, from the perusal of the appeal, it is quite clear that the Appellant had no issues regarding the bills from December, 2019 to March, 2020, and he had paid all the bills for that period.

The Discom further stated that the Appellant is disputing the actual bill for the month of July, 2020 for the period from 20.03.2020 to 14.07.2020 with a consumption of 1909 units (i.e. 16.46 units per day) amounting to Rs.8,000/- which is correct and as per downloaded readings. The Appellant has made only a single payment of Rs.8,500/- after 03.07.2020 till date, so the arrears have accumulated to Rs.17,706/-. Further, the consumption of the Appellant is usually quite low from October to April and gets doubled in the summer months. Even during 20.03.2021 to 20.07.2021, the consumption is similar to 2020 (i.e. from 20.03.2020 to 14.07.2020) with a variation of only 3 units/day viz;. 13.47 per units per day in 2021 and 16.46 in 2020. The latest bill for the month of July, 2021 is amounting Rs.17,470/- along with the bill of July, 2020 amounting Rs.8,000/-.

The Discom further denied each and every averment, submissions and contentions made against them in the instant appeal. It is denied specifically that they raised the bill arbitrarily and the bills have been raised as per the reading as recorded in the meter which is found to be running within the limits and they have not acted in violation of law/regulation in any manner. The contentions of the Appellant made in the instant Appeal are without any basis and legal foundation and deserves to be disallowed/dismissed.

4. After hearing both the parties and considering the material on record, it is observed that the Appellant alleged that he received an inflated bill in the month of July, 2020, which was for the period from March, 2020 to July, 2020, as the readings could not be taken during the period on account of Covid-19 pandemic. It is also noted that the meter was got tested during the year 2020 by the Discom for the satisfaction of the Appellant, wherein the accuracy of the meter was found to be within the prescribed limits. The meter testing report was duly signed by the Appellant where the accuracy of the meter was found to be (-) 0.04%. The meter was once more tested in the presence of the Appellant on 20.07.2021 by the Discom, wherein the accuracy was again found to be well within the prescribed limits. The meter testing report was also signed by the Appellant in lieu of witnessing the testing of meter. From the above, it is quite evident that meter has been working alright and the contention of the Appellant that he is continuously getting inflated bills since July, 2019 onwards is not tenable. Secondly, in view of the facts, that the meter was found to be working within the accuracy limits on two occasions and the Appellant could not place any valid reason whatsoever in order to prove that the Discom has raised inflated bills, the contentions of the Appellant regarding receiving high bills are misconceived and are not sustainable.

The Discom has also enclosed the consumption chart of the electricity consumption of the Appellant from January, 2018 onwards and from the perusal of the same, it is observed that the consumption of the Appellant is usually low during the winter months and is on the higher side during the summer months. This pattern of consumption is comparable for the year 2020 as well as for 2021 and in view of the same there is no reason to believe that the Appellant has received inflated bills. Since the Appellant has not been paying the bills after July, 2020, but for Rs.8,500/- which has been paid as per the direction of the CGRF, so the arrears have accumulated to Rs.17,470/- upto July, 2021. In view

of the above background, it is held that the bills raised by the Discom are for actual consumption on actual reading basis and the Appellant in any case has to pay for the electricity he has consumed. Therefore, the Appellant is directed to pay the dues and in case of non-payment the Discom may take the required action as per the instant rules and regulations.

In addition to above, if the Appellant still does not feel satisfied and has some doubts about the working of the meter, he can go in for third party testing, if he so wishes, as per Regulation 32(2) read along with the amendment dated 15.02.2018 regarding 'Testing of the Meter in Case of Dispute or on the Request of the Consumer' wherein his meter will be tested by an accredited laboratory notified by the Commission. However, the decision of the accredited laboratory notified by the Commission or accredited laboratory other than that of licensee, as the case may be, shall be final and binding on the licensee and the Appellant.

Hence, in view of above background, it is concluded that no intervention with the verdict of the CGRF is warranted. The appeal is disposed of accordingly.

S.C. Vashishta
(S.C.Vashishta)
Electricity Ombudsman
12.10.2021