

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/2007/202

Appeal against Order dated 26.07.2007 passed by CGRF – BRPL in case no. CG/149-07.

In the matter of:

Shri Shyam Lal Blaggan - **Appellant**

Versus

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

Present :

Appellant : Shri Shyam Lal Blaggan attended in person

Respondent : Shri B.N. Jha, Business Manager,

Date of Hearing: 14.12.2007, 27.12.2007

Date of Order : 31.12.2007

ORDER NO. OMBUDSMAN/2007/202

1. The Appellant Shri Shyam Lal Blaggan representing Smt. Krishna Rani R/o C5A/75, 2nd Floor, Janak Puri, New Delhi 110058 has filed this appeal against the order of CGRF dated 26.07.2007 in case no. CG/149-07. The Appellant has prayed that adequate relief has not been given to him in respect of interest paid by him against the borrowed amount from Syndicate Bank for making payment of wrong inflated bills.
2. The background of the case is as under:
 - a) The Appellant has stated that in November 2002, the Respondent had issued an inflated bill of 5610 units for the period 15.05.1999 to 20.11.2002 for an amount of Rs.22,037/-. This bill was issued on average consumption basis, instead of or actual readings available in the meter book, due to erroneous "meter faulty" remarks fed in the billing system.



- b) The Appellant's request to rectify the inflated bill was not considered and disconnection notice was issued by the Respondent.
- c) The Appellant's son borrowed money from Syndicate Bank at 15.5% interest and paid Rs.22,690/- (including LPSC charges) on 19.02.2003. It was only on 22.02.2005 that the Respondent could establish that the bill issued earlier was wrong, but refused to refund the amount with interest from 19.02.2003.
- d) The Business Manager (BM) admitted before the CGRF on 14.06.2007 that the inflated bill for the month of November 2002 was wrongly issued and the bill was revised in February 2005 when a net credit of Rs.12,625/- was worked out.
- e) The Business Manager further informed that a sum of Rs.11,645/- has been adjusted out of the credit amount of Rs.12,685/- and a sum of Rs.980/- remained to be adjusted.
- f) The CGRF in its order observed that the complainant has been made to suffer, on account of raising a highly inflated bill, and for making the payment of this bill had to pay interest to the Bank on money borrowed. There was no fault on the part of the Appellant and the Forum directed that a token compensation of Rs.2,500/- be given to him, keeping in view the undue harassment and mental torture caused to him.

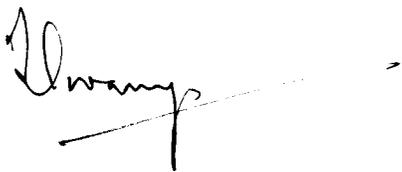
Not satisfied with the order of the CGRF the Appellant has filed this appeal.

- 3 After scrutiny of the appeal, the records of the CGRF and submissions made by both the parties, the case was fixed for hearing on 14.12.2007.

On 14.12.2007 the Appellant was present in person. No one was present on behalf of the Respondent. The Appellant was heard and he produced, bills relating to incorrect recovery and also the bill revised as per the CGRF's order. The Appellant was directed to produce the certificate from the Bank with regard to amount of loan taken for payment of the wrong bill and interest charged thereon, before the next date of hearing. The case was fixed for further hearing on 27.12.2007.

4. On 27.12.2007 the Appellant was present in person and the Respondent was present through Sh. B. N. Jha Business Manager,.

Both parties were heard. The Appellant submitted the required certificate issued by the Syndicate Bank which was taken on record. It was confirmed by the Respondent that an error had been committed by them in raising wrong bills, levy of LPSC and in the issuing of disconnection notice to the Appellant.



5. Since payment of this arrear has caused harassment to the Appellant for years, it is decided that interest at 18% p.a., (the same rate as is charged from the consumer as LPSC) on the reducing balance, after excluding amounts due from the Appellant for electricity consumption, be paid on the excess amount held by the Respondent for the period 19.02.2003 till the amount was adjusted in October 2007. In fact the Respondent has wrongly held Rs.22,690/- of the Appellant and wrongly adjusted this amount against the current dues instead of refunding the amount when the error was detected in February 2005. LPSC too was wrongly charged on the inflated bills and should be refunded with 18% interest. The amount to be paid to the Appellant, be worked out as already directed above earlier in this para, and should be paid through cheque within 10 days of this order.
6. The CGRF has already awarded a compensation of Rs.2500/- to the Appellant which has been paid to him as per the statement of the Respondent. No further compensation is awarded, as prayed for by the Appellant.

31st December 2007 .


(Suman Swarup)
Ombudsman