

(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 against Order dated 24.10.2007 passed by CGRF-BRPL in case no. CG/256/2007 (K.No.2510 N453 0844).

In the matter of:

Shri Varun Kalra - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant Shri S.P. Kalra, Father of Appellant is Present

Respondent Shri Ambrish Pandey, Business Manager,
Shri Biswajit Biswas, Commercial Officer and
Shri I.G. Nagpal, AFO all attended on behalf of BRPL

Dates of Hearing : 13.02.2008, 29.02.2008

Date of Order : 24.03.2008

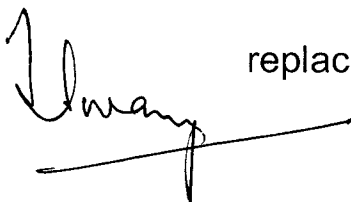
ORDER NO. OMBUDSMAN/2008/237

1. Shri Varun Kalra, Appellant has filed this appeal against the ex-parte orders of the CGRF dated 24.10.07 in the case CG/256/07 on the ground that the opportunity of being heard was not given to him before passing the order.

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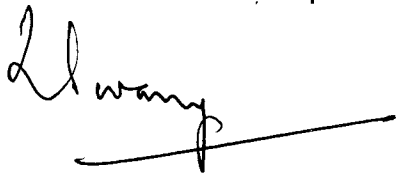
2. The brief facts of the case are as under:-

- (i) The Appellant has an electric connection K. No.2510 N453 0844 at his premises A-445, Kalkaji, New Delhi for commercial activity.
- (ii) The Respondent replaced the old meter with electronic meter on 11.12.03. According to the Appellant the new electronic meter started recording the electricity consumption and showing it four times higher. The Respondent arranged for the testing of the meter on 21.01.06 and the same was found to be 0.78% fast. The Appellant recorded his objection on the copy of the test report that the electricity bill of Rs.10,000/- per month (in comparison to Rs.1000/- per month before change of the electronic meter) was not acceptable.
- (iii) A pilot meter was installed by the Respondent on 15.02.06 and removed on 20.03.06. The results of the pilot meter indicated that the meter was running 6.77% fast which is beyond the acceptable variation. As such, the Respondent replaced this meter with another meter on 21.04.06.



3. The Appellant filed a complaint before the CGRF on 18.07.2007, stating that the new electronic meter was installed only in his premises, whereas in his colony in Kalkaji, electromechanical meters were not replaced with electronic meters.

- a) The Appellant was not present during the hearing before the CGRF. The Respondent informed that the electricity connection was used by the Appellant for commercial activity. The meter was tested on 21.01.06 and found to be 0.78% fast. As the Appellant was not satisfied with the first testing, a pilot meter was installed and the test report indicated that the meter was fast to the extent of 6.77%. The bill was therefore revised, treating the period from 12.02.04 to 12.05.06 as the defective meter period. The consumption during the base period of 02.05.2006 to 06.03.2007 was taken for the purpose of revision.
- b) The CGRF in its order dated 24.10.2007 reduced the defective meter period to six months prior to 21.01.2006 when the Appellant wrote his remarks on the meter test report.



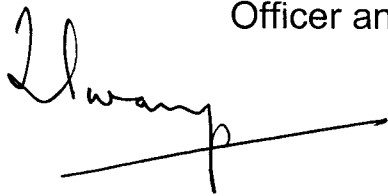
4. The Appellant, not satisfied with the relief given by the order of the CGRF, filed this appeal on 27.12.2007.

a) The Appellant in his subsequent letter dated 18.01.2008 requested that his assessment should be on 'load sanctioned' basis because presently an AC was also installed and calculation of the bill be done on the basis of six months meter reading.

b) The BRPL in its reply informed the Appellant of the details of calculation of the revised bill as per the CGRF order dated 24.10.2007, but did not give the details of the meter readings taken for computation of the said bill.

5. The first hearing in the matter was fixed on 13.2.08, after perusal of the records and comments received from the Respondent.

i) The Appellant was represented by his father Shri S. P. Kalra and the Respondent through Shri Amrish Pandey, Business Manager, Shri Bishwajit Biswas, Commercial Officer and Shri I. J. Nagpal, AFO.

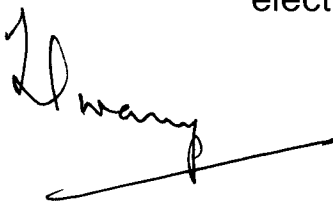


ii) Shri S.P. Kalra pointed out that the electricity bills of about Rs.6000/- per month, keeping in view that only four tube lights were in use in the flat, were highly excessive. The Respondent stated that on the request of the Appellant his meters were changed twice and he was granted relief as per the CGRF order dated 24.10.07.

iii) After hearing both the parties, the Respondent was directed to produce a statement of account in respect of the electricity connection of Appellant from 2003 onwards. The Appellant was also given an opportunity to submit his electricity consumption bill prior to the change of meter in December 2003. The next hearing in the case was fixed for 29.02.08.

6. At the second hearing on 29.02.08 the Appellant was present through his father Shri S. P. Kalra. The Respondent was present through Shri Amrish Pandey, Business Manager and Shri Bishwajit Biswas, Commercial Officer.

a) The Respondent filed the statement of account of the electricity connection from 2003 onwards. The Appellant



requested for time for filing the bills prior to 2003, which was granted.

b) The Respondent was also directed to arrange for inspection of the premises of the Appellant for checking for leakage of electricity, if any, and to submit the test report of the new meter by 12.03.08.

7. The parties have meanwhile filed an "Out of Court Settlement" dated 10.03.08 stating as under:-

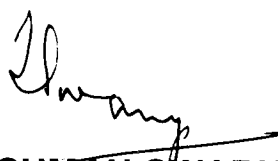
"The consumer objected to bills raised by BRPL. The issue was discussed. As a result the bill has been calculated on connected load basis. The amount works to Rs.50,000/- additional upto 02.02.08, R-16196 after adjusting the earlier payments made. The consumer will withdraw the case from electricity Ombudsman. Rs.50,000/- has to be deposited in addition to already deposited amount. Consumer will pay 50% before 31.03.08 and rest in three installments. The service cable shall be laid separate and internal wiring be set right by consumer."

A handwritten signature in black ink, appearing to read 'H. Wang', is written over a horizontal line.

This out of court settlement is signed by Shri S. P. Kalra, father of the Appellant and Shri Amrish Pandey (Business Manager), Legal Officer and Addl. G.M. (B) South.

8. The Appellant vide his letter dated 11.03.08 has also requested for closing the case as the matter has been settled on 10.03.08 with the Respondent. As the parties have mutually resolved the dispute, the matter is disposed off as withdrawn on the request of the Appellant.

24th March 2008.


(SUMAN SWARUP)
OMBUDSMAN