

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/2008/253

Appeal against Order dated 15.01.2008 passed by CGRF–BRPL in case No. CGRF/314/2007.

In the matter of:

Shri Virender Ganda and
Smt. Saroj Ganda

- Appellants

Versus

M/s BSES Rajdhani Power Ltd.

- Respondent

Present:-

Appellant Shri Virender Ganda the Appellant attended in person

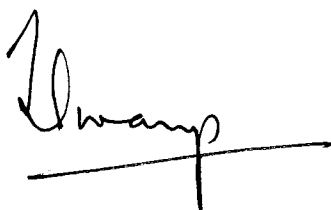
Respondent Shri A.K. Tyagi, Business Manager and
Shri Anurag Gupta, Commercial Manager

Dates of Hearing : 23.05.2008, 11.06.2008

Date of Order : 23.06.2008

ORDER NO. OMBUDSMAN/2008/253

1. The Appellants Shri Virender Ganda and Smt. Saroj Ganda, have filed this appeal against the order of the CGRF-BRPL dated 15.01.2008 in case no. CGRF/314/07. The plea of the Appellants is that the order of CGRF is bad in law and is liable to be set aside and they have prayed for relief by cancellation of the amended bill dated 27th September 2007 in respect of K.No. 255PA040030. They have sought a refund of an amount of Rs.35,270/- charged and paid by them as per the amended bill. They have



also prayed for compensation / damages for the harassment and mental agony caused to them.

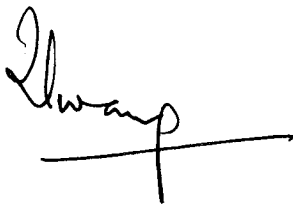
2. **The Background of the case as per the records and submissions is as under:**

- i) The Appellants are residents of C-20, South Extension-II and the holders of an electric connection for 25 kw domestic load vide K. No. 25510A040030 for the ground floor and basement and K.No.25510A040032 for the second floor. The Appellants are holders of another electric connection for 15 kw domestic load vide K. No. 25510A040029 for the first floor in the same premises which is not in dispute.
- ii) As per the records of the Respondent, the supply to the ground floor and basement was through meter no. 28050259 and to the second floor through meter no. 28050256. From the records it is seen that an error was committed by the Respondent officials, as meter no. 28050256 was shown for billing purpose against K. No. 25510A040030 and meter no. 28050256D against K. No. 25510A040032, right from the time of installation of the two meters in June 2005. The Respondent started raising monthly bills for both the connections from 12.09.2005 onwards with readings and consumption as recorded only by the meter No. 28050256, which infact was feeding supply only to K. No. 25510A040032. However, readings were taken only from this meter for both the connections on different dates, and bills were raised for both K. No.'s. 25510A040030 and 25510A040032. As per records it is evident that due to this error, the same readings were recorded such as 626 on 12.09.2005, 1544 on 22.02.2006, 6027 on 23.06.2006, 10161 on



22.08.2006 and 15933 on 28.12.2006 for both the connections. Since these readings were of the same meter no. 28050256, meter no. 2050259 was evidently not read although it was supplying electricity to K.No.25510A040030 i.e. the ground floor and basement. The Appellant continued to pay the bills raised as per these incorrect readings.

- iii) On 26.07.2007 this discrepancy was detected by the Respondent and a reading of 37248 pertaining to meter no. 28050259, supplying electricity to the ground floor and basement, was recorded against K. No. 25510A040032, the connection for the second floor, again erroneously. A supplementary bill for consumption of 11001 units (37248 – 26247) for an amount of Rs.47,290/- was issued for K.No. 25510A040032 without giving any reasons for such high consumption.
- iv) The Appellants disputed this excessive bill of July 2007 issued against K. No. 25510A040032 for the second floor and lodged a protest with the Respondent. The Respondent observed that again an error had been committed and the July 2007 bill with the reading 37248 pertained to actually meter no. 28050259 which infact was supplying electricity to K. No. 25110A040030, while meter no. 28050256 was supplying electricity to K. No. 25110A040032. To set right this mistake, the Respondent transferred the dues reflected in the July 2007 bill from K. No. 25110A040032 to K. No. 25110A040030.
- v) The meter testing report dated 11.12.2007 confirms that meter no. 28050259 is supplying electricity to K. No. 25110A040030 and meter no. 28050256 to K. No. 25110A040032. The reading recorded on 11.12.2007 for meter no. 28050259 was 46047 and for meter no.



28050256 the reading was 36046. These readings recorded during meter testing were found to be in consonance with the downloaded readings of both the meters. The Respondent therefore concluded that the Appellants are required to pay for energy consumed by K. No. 25110A040030 and recorded by the meter no. 28050259 and for energy consumed for K. No. 25110A040032 recorded by the meter no. 28050256. Supplementary bill for 35,270/- was raised against K.No. 25110A040030 for the period .

3. Not satisfied with this action of the Respondent, the Appellant filed a complaint before the CGRF-BRPL:

- a) The CGRF observed that the reading of meter no. 28050259 pertaining to K.No. 25510A040030 installed on the ground floor was 37248 on 26.07.2007 and the readings continued in a successive manner and readings of 39418, 41634, 42977, 44925 and 46592 were found to have been recorded on 25.08.2007, 25.09.2007, 19.10.2007, 22.11.2007 and 20.12.2007.
- b) The CGRF ordered that all the readings of the meter 28050256 earlier recorded against K.No. 2511 0A04 0030 for the period from 12.9.2005 to 26.07.2007 are to be declared as null and void, as these readings actually pertain to K. No. 2511 0A04 0032.
- c) The CGRF directed that the bill may be revised for K. No. 2511 0A04 0030 on the basis of consumption of 36622 units which have been recorded for the period from 12.09.2005 to 26.07.2007. This being the difference of readings, 626 being the 1st reading recorded after installation of the meter on 12.09.2005, and 37248 recorded on



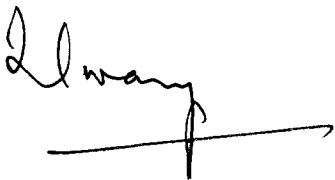
26.07.2007. The CGRF ordered that this consumption of 36622 units will have to be divided amongst all billing cycles uniformly and slab benefits afforded to the complainant as per provision of the tariff for the relevant years.

d) The CGRF also allowed a token compensation of Rs.1000/- to the Appellant on account of inconvenience due to receipt of a supplementary bill issued abruptly without giving requisite information to the Appellant, once the error in billing was detected by the Respondent.

4. After scrutiny of the contents of the appeal, the CGRF's order and the replies submitted by both the parties, the case was fixed for hearing on 23.05.2008.

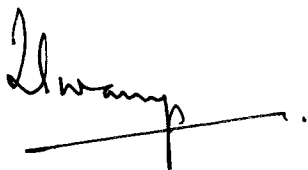
On 23.05.2008, the Appellant Shri Virender Ganda was present in person. The Respondent was present through Shri A. K. Tyagi, Business Manager and Shri Anurag Gupta, Commercial Officer. Both parties were heard at length and the statement of account produced by the Respondent was taken on record.

The Appellant raised doubts about the genuineness of the readings of the meter no. 28050259 on the basis of which he has been given a supplementary bill for units not billed earlier. His contention is that this amount was earlier billed on another K. No. 25510A040032 in the same premises which was being used by his tenant, and was later transferred to K.No. 25510A040030 The Respondent stated that they did not earlier correctly link the meter numbers supplying electricity to the ground floor /



basement and to the second floor premises, with the correct K.Nos. and incorrect bills were therefore raised.

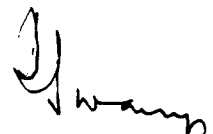
5. The Respondent informed during hearing that the meter no. 28050259 installed for the ground floor and basement and supplying electricity to the Appellants was tested at meter reading 46047 on 11.12.2007 and was found +0.63%. This meter was supplying electricity to the ground floor / basement premises against the connection no. 25510A040030. Similarly, another meter no. 28050256 was tested at meter reading 36046 on 11.12.2007 and was found +0.43%. This meter was supplying electricity to the second floor premises. Both these reports were filed and were taken on record.
6. To ascertain the genuineness of the readings of both the meters, the Business Manager was directed to get the CMRI data (reading data downloaded from the meters) for the last one year for all the 3 meters installed in the premises and to produce these at the next date of hearing. The name of the officials who punched the wrong meter numbers against the K.Nos. were also asked to be given, alongwith the names of the meter readers who recorded readings from one meter for both the connections.
7. The downloaded reading record in respect of meter no. 28050259 against K. No. 25510A040030 installed for the ground floor and basement, and meter no. 28050256 against K. No. 25510A040032, for the period 01.06.2007 to 01.05.2008 has been submitted by the Business Manager. The record indicates that the downloaded readings against the meter no. 28050259 are much higher than the readings for which the consumer has been billed between September 2005 and July 2007, and the readings also tally with the readings recorded during meter testing for the meter No.



28050259 installed for K.No. 25510A040030 for supplying electricity to the basement and ground floor.

8. In view of the above, it is concluded that the findings of the CGRF and its orders are in order. However due to the inefficiency and repeated mistakes by the Respondent, the Appellant has suffered unnecessary harassment. The compensation awarded by the CGRF is enhanced to Rs.2000/- to be paid through cheque to the Appellant. The Respondent is also directed to take disciplinary action against the officials found to be responsible for the repeated errors resulting in wrong billing. The appeal is accordingly disposed off.

23rd June 2008.


(SUMAN SWARUP)
OMBUDSMAN