

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/2008/274

Appeal against Order dated 09.05.2008 passed by CGRF–BRPL in case No. CG/92/2008 (K.No. 2610 H419 0003).

In the matter of:

Shri Inderjit Singh - Appellants

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant Shri Inderjit Singh present in person

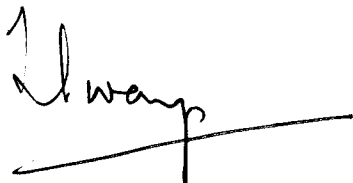
Respondent Shri Salil Saxena, Business Manager, Janak Puri and
Shri Shashi Sharma, AG-II attended on behalf of BRPL

Date of Hearing : 09.07.2008

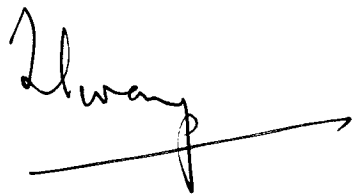
Date of Order : 14.07.2008

ORDER NO. OMBUDSMAN/2008/274

1. The Appellant, Shri Inderjit Singh, has filed this appeal against the CGRF-BRPL order dated 09.05.2008 in case CG No. 92/2008, as the CGRF did not grant any relief. The Appellant has pleaded for cancellation of the wrong bill for January 2008, containing assessment arrears of Rs.4,900/-.
2. The background of the case as per the records submitted by both the parties and their oral submissions, is as under:-



- i) The Appellant is a resident of B-1, A/8-B, Janak Puri, New Delhi – 110 058 and is the user of electricity connection K. No. 2610H4190003. The Appellant received an electricity bill in January 2008 showing arrears of Rs.4,900/- approximately.
- ii) On inquiry, the Business Manager, Janak Puri informed the Appellant that earlier two connections were existing in his premises as K. No. 2610H4190073 (domestic power) and 2610H4190003 (domestic light). The connection with K. No. 2610H4190073 (DP) was amalgamated with K. No. 2610H4190003 (DL) on 28.07.2003, and meter no. 841576 (DP) was removed. This meter was stated to be faulty since 09.11.1998 and the final bill was prepared against K. No. 2610H4190073 by taking the six months prior to 28.07.2003 to be the meter defective period. The assessment for the defective period i.e. 28.01.2003 to 28.07.2003 (six months) was done on the basis of the past consumption prior to 09.11.1998 i.e. from 08.09.1997 to 09.11.1998.
- iii) Thereafter, the Appellant filed a complaint before the CGRF on 16.04.2008 against the bill. The Business Manager stated before the CGRF that the domestic power connection and the domestic light connection were amalgamated on 28.07.2003 and the domestic power meter was removed at Reading 27226 on 28.07.2003. The Business Manager further stated that the



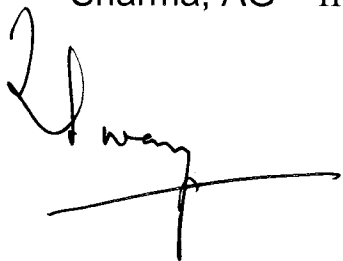
meter installed against the domestic power connection had been lying faulty since 09.11.1998. However, the assessment has been done only for a period of six months prior to the date of removal of the meter.

- iv) The CGRF in its order observed that the consumption chart indicates that Statement – III for suspecting the meter to be faulty had been issued on different dates starting from 11.05.1999 onwards. The CGRF also concluded that the meter might have developed some snag on 09.11.1998 and remained faulty till the date of its removal on 28.07.2003. CGRF agreed with the assessment for the defective period as done by the Respondent and asked the Appellant to make the payment of the revised bill within 15 days of the receipt of the order.

Not satisfied with the orders of the CGRF, the Appellant has filed his appeal.

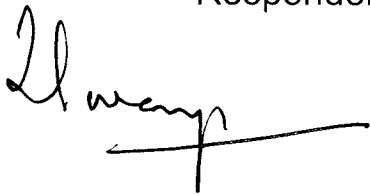
3. After scrutiny of the contents of the appeal, the CGRF's order and the replies submitted by both the parties, the case was fixed for hearing on 09.07.2008.

On 09.07.2008, the Appellant Shri Inderjit Singh was present in person. The Respondent was present through Shri Salil Saxena Business Manager, Janak Puri along with Shri Shashi Sharma, AG – III.



Both the parties were heard. The consumption chart produced indicates that the reading of 21930 was recorded on 09.11.1998 and 27226 on 28.07.2003 when the meter was removed. Thus, during this period a consumption of 5296 units was recorded by the meter. The Business Manager was asked as to how it was concluded that the meter was lying faulty since between 09.11.1998 to 28.07.2003, it had recorded a consumption of 5296 units. The Business Manager replied that on several occasions no consumption has been recorded and on other occasions the consumption recorded is erratic. Because of the erratic consumption record, the meter was assumed to be faulty. The Respondent confirmed that no testing of the power meter was carried out in July 2003 at the time of its removal. This was a domestic power meter and would be used only when domestic power appliances are used. Therefore, the consumption could be irregular, depending on actual usage.

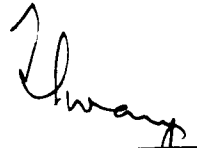
4. As per the DERC Regulations, the Respondent is entitled to carry out the assessment only, if the meter is found to be stopped or on testing, it is found to be defective i.e. either slow or fast. If the working of the meter was suspected to be faulty, the Respondent should have tested the same for its accuracy at any time when it remained installed, or atleast at the time of its removal on 28.07.2003. It appears that the assessment done by the Respondent is based on an assumption that the meter was faulty,



which is not supported by either the consumption record or any meter testing record.

5. In view of the above, the Appellant is not liable to pay the assessment bill raised by the Respondent by assuming the meter to be defective, without its testing. The CGRF order is accordingly set aside. A token compensation of Rs.500/- is granted to the Appellant on account of harassment caused to him. This amount along with any excess payment made by the Appellant against the assessment bill, be refunded through cheque, within three weeks from the date of this order and compliance report be sent accordingly.

14th July 2008 .


(~~SUMAN~~ SWARUP)
OMBUDSMAN