

(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 19.04.2008 passed by CGRF-BYPL in complaint no. 64/04/08.

In the matter of:

Shri Aditya Kumar - Appellant

Versus

M/s BSES Yamuna Power Ltd. - Respondent

Present:-

Appellant Shri Aditya Kumar attended in person

Respondent Shri P.C. Lohani, DGM,
Shri Ashish Chaudhary, Assistant Manager (Power Supply)
Shri Rajeev Ranjan, Assistant Manager (Legal),

Date of Hearing : 11.7.2008

Date of Order : 14.07.2008

ORDER NO. OMBUDSMAN/2008/275

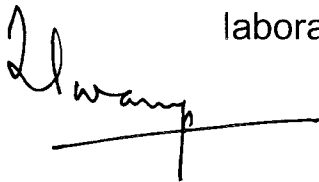
1. The Appellant, Shri Aditya Kumar has filed this appeal against the orders of CGRF-BYPL dated 19.4.2008 in case CG No. 64/04/08. The CGRF has held in its order that the meter at the Appellant's premises got burnt due to unbalancing of load at his end, and that the Respondent had rightly debited the cost of the meter to the

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Appellant's account. The Appellant has pleaded that the orders of the CGRF may be set aside and the Respondent be directed to refund the cost of the meter.

2. The case background as per records submitted by both the parties is as under:

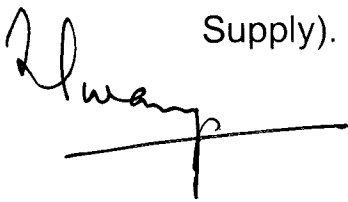
- i) The Appellant is a resident of D-118, Ground Floor, Anand Vihar, Delhi-110 092 and has a three phase electricity connection vide K. no. 12100C00012.
- ii) In July 2007, the Appellant made a complaint to the Respondent as he was not getting power supply in one of the three phases. The Respondent officials attended the fault which developed again after few days and the Respondent replaced the meter No. 17005044 on 4.8.2007.
- iii) In the August 2007 bill, the Respondent added the cost of the meter in the bill. The Appellant represented to the Respondent for deleting the cost of the meter since he was not responsible for the burning of meter.
- iv) Thereafter the Appellant filed a complaint before the CGRF on 1.4.2007. Before the CGRF, the Respondent stated that the meter was replaced on 4.8.2007 in view of the "meter burnt" complaint dated 3.8.2007. The meter was sent to the Respondent's Lab for testing. In the meter test report of the laboratory dated 9.8.2007 it is written that the R-phase potential



has not recorded and the Y&B phase terminals were found burnt due to unbalanced load.

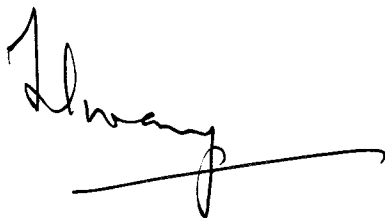
- v) The Appellant stated before the CGRF that he made a complaint to Respondent over the telephone no. 42895555 as he was not getting power through one of the three phases. The fault was rectified by the Respondent officials and power was made available on all the three phases. The same fault developed again and he lodged another complaint on the same telephone number. Thereafter the Respondent changed the meter on 04.08.2007.
 - vi) The CGRF in its order concluded that the meter got burnt due to unbalancing of load by the Appellant and held that the Respondent has rightly debited the cost of the meter to the Appellant's account.
 - vii) Not satisfied with the orders of the CGRF, the Appellant has filed this appeal.
3. After scrutiny of the records and comments / clarifications submitted by the Respondent, the case was fixed for hearing on 11.7.2008.

On 11.7.2008, the Appellant was present in person. The Respondent was present through Shri Rajeev Ranjan, AM(Legal), Shri P.C. Lohani, DGM and Shri Ashish Chaudhary, AM (Power Supply).



Both the parties heard at length. The Appellant stated that he had complained to the Respondent on two occasions for "no supply" in one of the three phases. On one occasion the fault was rectified and the second time, the Respondent replaced the meter. It is also confirmed from the meter testing report dated 9.8.2007 filed by the Respondent, that the meter has not recorded potential on the R-phase on 25.7.2007 and the Y&B phase terminals were found burnt. The Lab test of the meter concluded that the meter was burnt due to unbalanced load. The meter change report dated 4.8.2007 was not produced by the Respondent.

4. After hearing both the parties and after scrutiny of the documents submitted, it is clear that the Appellant was not getting power supply in one of the phases, possibly due to a loose terminal connection which was attended to by the Respondent. The loose terminal connection fault was evidently not attended to properly as it developed again, resulting in non availability of power in one of the phases. The loose terminal connections do lead to over heating and burning of the terminals. The three phase meters normally do not burn on unbalanced load, unless and until they are over loaded. The MDI record also shows that the Appellant was




using the load within the sanctioned limits, and there was no overloading.

5. Thus it is amply clear that the loose terminal connections were responsible for over heating and burning of the meter terminals rather than the unbalanced load. Also the report and photo submitted indicates that the terminals got burnt and not the meter per se. In my view the Appellant is, therefore, not liable to pay the cost of the meter. In fact, the Respondent should have rectified the fault on the first instance properly, or should have replaced the meter. The cost of the meter paid by the Appellant should be refunded by adjustment in the subsequent bills of the Appellant.

The CGRF order is accordingly set aside.

14th July 2008 .


(SUMAN SWARUP)
OMBUDSMAN