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**Office of the Electricity Ombudsman**  
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)  
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Ref: E.OBM/A/05/30

Dated 30<sup>th</sup> August, 2005

**Appeal No. F. ELECT/Ombudsman/2005-06/30**

Appeal against Order dated 23.03.2005 passed by CGRF – BYPL on Complaint No.: CG-136/9/2004.

**In the matter of:** Shri Bharat Bhushan - Appellant

**Versus**

M/s BSES Yamuna Power Ltd. - Respondent

**Present:-**

**Appellant** Shri Bharat Bhushan,

**Respondent** Shri C.P.Singh, Commerical Officer, Krishna Nagar,  
BSES- Yamuna Power Ltd.

Date of Hearing : 23.08.2005 & 30.8.2005  
Date of Order : 30.8.2005

**ORDER NO. OMBUDSMAN/2005/30**

The Appellant filed an appeal against the order of CGRF, but, had not deposited the mandatory 1/3<sup>rd</sup> amount as he was not aware of this condition. However, copy of the paid bill in file shows that on being informed of this requirement, he has now deposited the required amount.

The appeal has also not been filed within the stipulated period of one month from the date of receipt of the CGRF's order, but, this has also been explained satisfactorily because the appeal was filed on time in Delhi Electricity Regulatory Commission, as appellant was not aware of the Appellate Authority in which he has to file his appeal.

Considering the above, both mandatory requirements have been fulfilled by the Appellant.

The records of the CGRF in this case were called for and after scrutiny of the contents of the appeal and of the CGRF records the case was fixed for hearing on 23.8.2005 at 11.30 AM.

Shri Bharat Bhushan, the appellant attended, in person, Shri C.P.Singh, Commercial Officer, Krishna Nagar, (BYPL) attended the hearing. The facts of the case are that the appellant purchased 58 sq. yards out of property no: 7/112, Geeta Colony which consisting of 100 yards. The shop existing on this property was bearing a commercial connection. This shop was demolished on 6.8.2001 on the directions of the Hon'ble High Court. It is submitted that the appellant had nothing to do with the shop and he purchased the other portion of the property of 58 sq. yards through 'power of attorney'. Since the shop was demolished, he feared that bills for minimum charges may be sent to him, so on 2.2.2002 he requested the Discom for removal of the meter. The respondent company failed to do so.

Despite several requests from the appellant no action was taken by the company and finally on 1.3.2004 he requested for change of tariff category from commercial to domestic and deposited Rs.60/- by way of inspection fee.

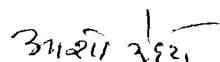
When Shri C.P.Singh of Respondent company was specifically asked about both these letters of 2.2.2002 and 1.3.2004 as mentioned above, he admitted that the letter dated 2.2.2002 for removal of meter had been received by the company but no action had been taken by the company to remove the meter. It is evident that there was no commercial use of the electricity supplied to the appellant. Since the meter was not removed despite his request, the appellant to avoid any billing on commercial rates again vide his letter dated 1.03.04 requested for change of tariff from commercial to domestic and Rs.60/- were deposited by way of inspection fee.

Since there was no commercial use of electricity and the appellant had already requested for change of tariff from commercial to domestic, it is ordered that Bills be raised on domestic rates as per actual consumption by him.

Revised calculations on the basis of above directions were submitted by Shri C.P.Singh on 30.8.2005. It shows a credit of Rs.671.92p for the Appellant. The Appellant has been asked to make an application for change of name and complete other formalities for changing the user from commercial to domestic which appellant has agreed to do so.

Accordingly, the respondent company is directed to give a revised bill to the appellant showing the credit of Rs.671.92p as submitted in its calculations.

In view of the above, the order dated 23<sup>rd</sup> March, 2005 of the CGRF for BYPL is set aside.

  
(Asha Mehra)  
Ombudsman