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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 – 100 057
(Phone No.: 39506011 Fax No.26141205)

Ref: E.OBM/A/05/33

Dated: 11th November, 2005

Appeal No. F. ELECT/Ombudsman/2005-06/33

Appeal against Order dated 13.04.2005 passed by CGRF – BYPL on Complaint No.: CG-129/09/2004.

In the matter of: Shri D.V.Dhawan - Appellant

Versus

M/s BYPL - Respondent

Present:-

Appellant Shri D.V.Dhawan, appellant

Respondent Shri P.K.Bhardwaj, Business Manager and Shri Ajit Kumar,
Commercial Officer of BYPL-Dilshad Garden

Date of Hearing : 26.10.2005
Date of Order : 11.11.2005

ORDER NO. OMBUDSMAN/2005/33

The appeal is in regard to K.No. 1210 1531 0665 meter installed at F-157/S4, Dilshad Colony, Delhi – 110 095 in the premises of Shri D.V.Dhawan. It is stated in the appeal that meter was changed four times as per details given below:

Meter changed on 27.08.1998	with meter reading 004
Meter changed on 04.06.2001	with meter reading 0002.7
Meter changed on 16.06.2002	with meter reading 014
Meter changed on 03.07.2004	with meter reading 0

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Vide letter dated 21.4.2001, the appellant requested for replacement of its meter no: 6214611 (K.No. 1313603) and also asked for enhancement of load from 1 kw to 4 kw. It appears that meter changed on 4.6.2001 was again found defective. Bills were raised on the basis of defective meter. Vide other letter written on 18.8.2001 the appellant complained that the said meter replaced is also faulty and requested that it may be checked and action taken to rectify it. This letter was followed by another letter dated 14.9.2001 in which he reported that current meter reading was higher, and, therefore, requested to rectify the bill. In the same letter he again requested for enhancement of load (requested four months earlier). Finally, in another letter written by the appellant on 21.5.2002, he again pointed out that meter replaced on 4.6.2001 was faulty. He also enclosed a postal order for Rs.50/- for checking of meter. The meter was not tested but replaced on 16.6.2002. The load was also enhanced on 16.6.2002.

Since the bills continued to be sent on the basis of faulty meter the appellant filed a complaint with CGRF-BYPL. In the order passed by the CGRF-BYPL, it was ordered that the period of six months prior to 4.6.2001 be charged on the basis of consumption recorded by the new meter. It is submitted by the appellant that the new meter installed on 4.6.2001 was itself faulty as pointed out in his various letters referred to above. Hence, the appeal against the CGRF order to the Ombudsman.

Records of the CGRF were called for. On a scrutiny of the appeal, letters were written to the respondent company and to the appellant for clarification on certain points. After the examination of records and information furnished by the respondent company, the case was fixed for hearing on 26.10.2005. Shri D.V.Dhawan attended, in person. Shri P.K.Bhardwaj, Business Manager and Shri Ajit Kumar, Commercial Officer, BYPL-Dilshad Garden, attended the hearing.

The case was discussed. The calculations submitted by the officials of the respondent company were scrutinized and it was decided that the reading, on the basis of faulty meter could not be adopted for making an assessment, therefore, the average consumption during June 2002 to June 2003 be worked out. Also the average consumption for the period June 2003 to June 2004 was worked out because these were the periods when the meter was functioning correctly. The average consumption in each of the above period was more or less consistent. It is 1140 unit per month for the first period i.e. June 2002 to June 2003 and 1142 unit from June 2003 to June 2004.

Accordingly, it is directed that the average consumption on the above basis may be adopted for the period of six months prior to June 2.6.2001. The same average was to be adopted for the period June 2001 to June 2002 during which period the meter was defective. Prior to December 2000, MG would be basis for preparation of the bill. Credit for all payments made by the appellant to be given and no LPSC to be charged. Calculations on the above basis to be submitted by 10th November, 2005.

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The calculations asked for have been submitted by the Respondent Company on 11.11.2005. These show an amount of Rs.40,753.51p payable as on 8.10.2005 by the appellant after allowing credit of Rs.1,81,459.35p. **Bills in accordance with the above calculations may be raised showing the calculations and sent to the appellant. These may be paid by the appellant in four equal installments as directed in CGRF order.**

The order dated 13.4.2005 of the CGRF-BYPL is set-aside.

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(Asha Mehra)
Ombudsman