

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/2009/337

Appeal against Order dated 22.07.2009 passed by CGRF-BRPL in case no. C.G.No.99/2009.

In the matter of:

Shri Daya Nand Bhatt - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant The Appellant Shri Daya Nand Bhatt was present in person

Respondent Shri C.S. Sakkerwal, AVP Divn (NJF/OFD)
Shri Gautam Sen Gupta, Commercial Officer, NJF and
Shri Mahender Lal, AFO attended on behalf of the BRPL

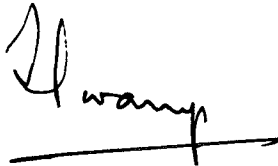
Date of Hearing : 06.10.2009

Date of Order : 26.10.2009

ORDER NO. OMBUDSMAN/2009/337

1.0 The Appellant, Shri D.N. Bhatt has filed this appeal against the CGRF-BRPL's order dated 22.07.2009 in the case CG No.: 99/2009 on the following grounds:

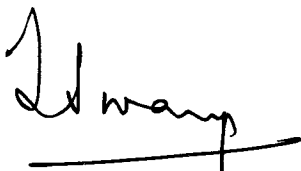
- i) Unfair and impaired order passed by the CGRF-BRPL, without having studied the relevant case in detail.


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- ii) The Appellant was highly aggrieved, but the CGRF-BRPL allowed a negligible amount of Rs.2,000/- (Rupees Two Thousand only) as compensation.
- iii) The Appellant has prayed for grant of relief amounting to Rs.5,51,471/- on account of compensation, the cost of all correspondence, and for the refund of security and excess payment made against the electricity bills.

1.1 The background of the case as per the facts stated in the appeal, the reply of the Respondent and the other records available is as follows:

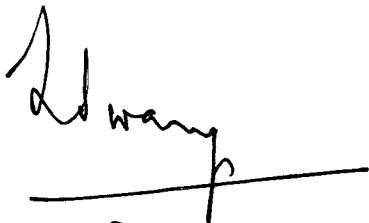
- a) A temporary connection vide K. No. 2620J3030857 was installed in the premises of the Appellant at No.RZ-115, Somesh Vihar, Near B.S.F. Camp, Chhawla, New Delhi – 110043 for a sanctioned load of 1 Kw. Later on a permanent connection was sanctioned in October 2007, but the meter for the temporary connection was removed only on 04.09.2008 at the final reading of '2064'. The Appellant applied for refund of security for the temporary connection on 09.02.2009, as also for refund of excess amount paid against bills raised, but did not receive any relief. The Appellant then filed a complaint before the CGRF in respect of refund of the security deposit made for the temporary connection and for refund of the excess payment made by him. The Appellant stated that he had to run from pillar to post and had written several registered letters and made several personal visits, but his case was not settled by the Respondent.


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- b) The DGM (Div), Najafgarh submitted before the CGRF-BRPL that the security amount and the cost of meter totalling Rs.2022/- has already been refunded vide cheque No. 936739 dated 27.05.2009 to the Appellant. The Appellant expressed great displeasure with the officials of BSES-BRPL by stating that neither they responded to his written letters nor entertained the verbal requests made on several occasions, and he had been unnecessarily harassed.
- c) The DGM(Div), Najafgarh of BRPL submitted that the final bill could not be prepared in time because of the high reading punched in the system and the delay had occurred as there was no coordination between the Assistant Finance Officer and the Operations & Maintenance Department of BRPL. Both the parties mutually agreed before the CGRF to settle the matter on payment of the final bill of a sum of Rs.411/10 by the Appellant.
- d) The CGRF-BRPL observed that the Respondent had created a lot of mental harassment for the consumer as such he is entitled for compensation of Rs.2,000/-.

Not satisfied with the above order, the Appellant has filed this appeal.

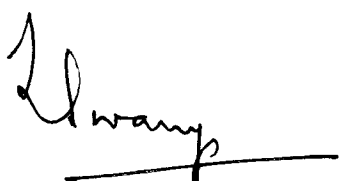
2.0 After scrutiny of the appeal, the records of the CGRF and the reply/comments submitted by the Respondent, the case was fixed for hearing on 06.10.2009.


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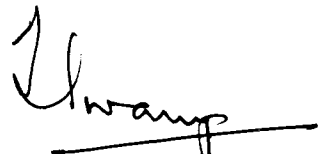
On 6.10.2009, the Appellant Shri D.N.Bhatt was present in person. The Respondent was present through Shri C.S.Sakkerwal, AVP Divn (NJF/OFD), Shri Gautam Sen Gupta, Commercial Officer, NJF and Shri Mahender Lal, AFO, Najafgarh.

Both the parties were heard. It was observed that the Appellant had not correctly calculated the amount of electricity charges due against him, as he had not included the amount payable as fixed charges in his calculations. It is also observed that the Respondent should not have allowed the temporary connection meter to continue at site once the permanent connection was installed, and the final bill should have been raised within a period of 30 days of disconnection of the temporary connection. The Appellant also does not dispute that he is liable to pay Rs.411/10 to finally settle the account for the temporary connection.

- 3.0 From the details produced by the Respondent, it is observed that fixed charges have been charged till the meter for the temporary connection was removed on 04.09.2008, whereas no 'fixed charges' were payable after installation of the permanent connection. The Respondent was asked to re-work the net payable amount accordingly, after excluding the fixed charges, and to raise a revised final bill, indicating clearly the amount due from the Appellant. The DGM (B) Najafgarh of BSES-BRPL, Shri Paritosh Srivastava has sent the revised calculation sheet


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vide letter No.DGM/B/NJF/2009-10/24/96, dated 20.10.2009 informing that the revised final bill amount payable by the Appellant is Rs.233.22. The Appellant should pay this amount within a period of 15 days of this order. For harassment, the Appellant has already been allowed a compensation of Rs.2,000/- by the CGRF-BRPL. The relief of Rs.5,51,471/- sought by the Appellant is excessive and appears to have no justification. No proper justification could be given by the Appellant during personal hearing also for this amount. The compensation already allowed by the CGRF is adequate to meet the ends of justice. The appeal is accordingly disposed of, with the direction to the parties to report compliance within 21 days of this order.


(SUMAN SWARUP)
OMBUDSMAN

26th October 2009.