

(93)

OFFICE OF THE 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/2009/363

Appeal against Order dated 04.12.2009 passed by CGRF-BRPL in the case CG No. 322/2009.

In the matter of:

Smt. Veena Wadhawan - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant The Appellant was present through her husband
Shri R.K. Wadhawan


Respondent Shri A.R. Ansari, DGM and
Shri Ashok Kumar, Commercial Officer attended on
behalf of BRPL

Date of Hearing : 07.05.2010

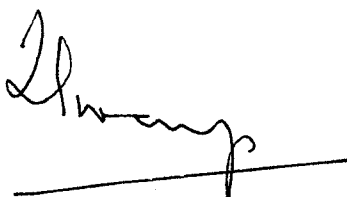
Date of Order : 25.05.2010

ORDER NO. OMBUDSMAN/2010/363

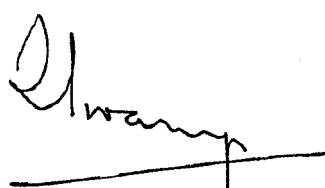
- 1.0 The Appellant, Smt. Veena Wadhawan, has filed this appeal against the orders dated 04.12.2009 passed by the CGRF-BRPL in the case CG No.322/2009 stating that the CGRF order is not a reasoned order and adequate relief has not been given to her. The Appellant has prayed for modification of the disputed bill of August 2009 keeping in view her past consumption pattern.
- 2.0 The brief facts of the case as per the records are as under:


25.05.2010

- (92)
- (i) The Appellant filed a complaint before the CGRF-BRPL against the abnormally high bill received in August 2009, issued by the Respondent, for Rs.13,526.99 showing a consumption of 3026 units. The Appellant in her complaint stated that the average usage of electricity by her for the last 2 years has never crossed 450-500 units and 900 units in the peak season. It is her contention that it is not possible to have a consumption of 3026 units in a single month. The excess billing mistake for some consumers during the summer of 2009 has been accepted by BSES, and reports have appeared in the Press that there was a software error. She has sought revision of her bill received in August 2009, on the basis of her average consumption.
- (ii) The Dy. General Manager (Business, Alaknanda Division) in his reply has stated that in the July 2009 bill, a consumption of 660 units was shown which was actually under billing of the consumption for the month due to some technical error. In fact in July 2009 the consumption was 1534 units. Due to under-billing in July 2009, the August 2009 bill was issued for 69 days i.e. from 12.06.2009 to 20.08.2009 for 3026 units, after giving proper slabs and the payment made of the month of July 2009 bill, was adjusted.
- (iii) The DGM further stated that the complaint of fast running of the meter shall be processed as per the directions issued by the DERC for such cases.


25.5.2010.

- (iv) The CGRF-BRPL in its order observed that the people of Delhi suffered during the peak summer season of the year 2009, and the consumption of electricity greatly increased. The electronic meter of the complainant has shown exceedingly high consumption especially for the month of August 2009. For such complaints of inflated billing, the DERC has issued detailed instructions to BRPL and BYPL to install check meters by 30.11.2009 and these would remain installed till 30.04.2010. The results of the check meters be analyzed after 30.04.2010 and if the variation is more than the permissible limit, such meters be considered as defective and bills of the consumer be revised suitably. As per the DERC's directions such consumers were to be charged initially for the month of June, July and August 2009 at 30% more than the consumption for these months in 2008, or the actual consumption, whichever is less, pending raising of the final bill in May 2010 on the basis of the readings of meter and check meter installed at the premises of such consumers, and after analysis of the consumption recorded.
- (v) CGRF in its order directed that a check meter be installed within 21 days of its order and that this will remain in safe custody of the consumer till April 2010. The final bill be calculated as per the DERC's orders and after taking into consideration the readings recorded by the original meter and the check meter after 30.04.2010.


28.5.2010

(90)

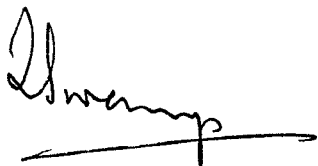
Not satisfied with the CGRF's order the Appellant filed this appeal stating that the CGRF vide its order dated 04.12.2009 directed for installation of a check meter in her premises instead of accepting the negligence of the Respondent and rectifying the bill received in August 2009. The Appellant has prayed in the appeal for modification of the disputed bill keeping in view her past consumption.

3.0 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 07.05.2010

On 07.05.2010 the Appellant was present through Shri R.K. Wadhawan, husband of the Appellant. The Respondent was present through Shri A.R. Ansari DGM and Shri Ashok Kumar, Commercial Officer.

Both parties argued their case at length. The check meter results were filed and were taken on record. It was argued by the Respondent that analysis shows that the meter of the consumer is recording correctly and is within the permissible limits of error.

It is however noted that the consumption pattern of the consumer reveals that the units billed during June, July and August 2009 are unusually high i.e. 54.4% higher as compared to the previous year. The DERC has directed that 30% increase in consumption in 2009 is the acceptable level of increase over 2008. Though the meter is stated to have recorded correctly and within permissible limits of error, the consumer emphatically


28.5.2010


stated that something appears to have gone wrong in the billing software as such consumption for the month of June, July and August 2009 billed for is unusually high.

- 4.0 After considering the facts on record, it is directed that for June, July and August 2009, the consumer be billed at 30% higher than the average consumption for June, July and August 2008 and the bills suitably revised for these three months.

However the consumption for June, July and August 2010 be also watched and the check meter installed allowed to record the consumption for these months also for a proper assessment of the consumption during peak summer months. In case the consumption for June, July and August 2010 is comparable with the consumption recorded by the regular meter in June 2009, July 2009 and August 2009, then the consumer would be liable to pay for the actual consumption recorded by the meter for June, July and August 2009 as well, in September 2010.

The CGRF-BYPL orders are modified to the extent above. Compliance of this order may be reported within 21 days of this order.

25th May 2010 .


(SUMAN SWARUP)
OMBUDSMAN