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**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/2010/377**

Appeal against Order dated 11.03.2010 passed by CGRF-BRPL in case no. C.G.No.499/2009.

**In the matter of:**

Shri Sampuran Salooja - Appellant

**Versus**

M/s BSES Rajdhani Power Ltd. - Respondent

**Present:-**

**Appellant** The Appellant was present in person alongwith his son Shri Sunil Salooja

**Respondent** Shri B.N. Jha, DGM, (Business – Janakpuri) attended on behalf of BRPL

**Date of Hearing** : 20.07.2010, 29.07.2010

**Date of Order** : 03.08.2010

**ORDER NO.: OMBUDSMAN/2010/377**

1.0 The Appellant, Shri Sampuran Salooja, r/o B-2/10, Janakpuri, Delhi has filed this appeal against the order dated 11.03.2010 passed by the CGRF-BRPL in CG No. 499/2009 on the following grounds:

- (i) The Hon'ble CGRF overlooked the fact that the status of his electric meter had never been reported as defective.

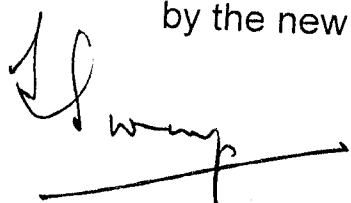


- (ii) The Hon'ble CGRF passed the order only on the basis of one bill for the month of November, 2009 and ignored the bills raised since 2007.
- (iii) The CGRF also failed to appreciate the fact that no provisional bills, as stated, were issued by the Respondent between 24.06.2009 to 24.10.2009
- (iv) The CGRF failed to look into the reason given by the field staff "wrong reading" and wrong connectivity of the wire with the meter – "inter change report" and defective meters.

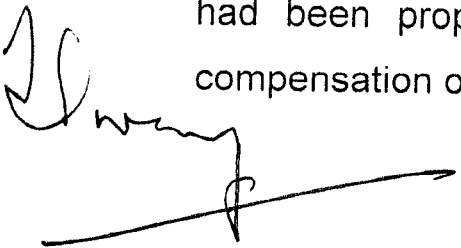
The Appellant has prayed for setting aside the order of the CGRF, and to withdraw the bills from 2007 and to prepare fresh bills based on the last 2/3 years consumption.

2.0 The background of the case as per the contents of the appeal, the CGRF's orders and the submissions made by the Respondent is as under:

- (a) The new electronic meter No. 23633587 installed on 03.11.2007 at his premises was found to be defective in September, 2009 (display faulty) and was replaced on 24.10.2009 with a new meter no. 21170906. The November, 2009 bill was raised by the BRPL for 4207 units based on the assessment done for the defective period 24.06.2009 (date of last OK reading) to 24.10.2009, plus consumption recorded by the new meter upto 28.10.2009 (4 days).



- (b) Against the said bill, the Appellant filed a complaint before the CGRF-BRPL stating that this consumption is higher as compared to the bills of his last year's consumption. The Appellant also stated in his complaint to the CGRF that the meter had been replaced in 2007 despite his protest. The November, 2009 bill shows a consumption of 4207 units whereas the July, 2009 bill showed a consumption of 2142 units i.e. the November, 2009 bill is showing a 100% increase. He had been complaining about the fast running of his meter, but the Respondent had not taken any action.
- (c) The Respondent stated before the CGRF that the November, 2009 bill shows the consumption of 4207 units for the period 24.06.2009 to 28.10.2009. During this period provisional bills were earlier issued because the meter was not displaying the reading after 24.06.2009. The meter was replaced on 24.10.2009 and assessment for the meter defective period 24.06.2009 to 24.10.2009 i.e. 123 days, was carried out by taking the average consumption during the base period 03.07.2008 to 24.06.2009.
- (d) The CGRF in its order observed that the calculations arrived at for assessment and reflected in the November 2009 bill, had been properly carried out. The CGRF awarded a compensation of Rs.1,000/- to the consumer.



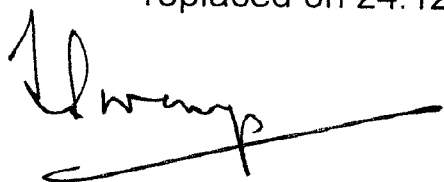
Not satisfied with the order of the CGRF, the Appellant has filed this appeal.

- 3.0 After scrutiny of the contents of the appeal, the CGRF's order and the submissions made by both the parties, the case was fixed for hearing on 20.07.2010.

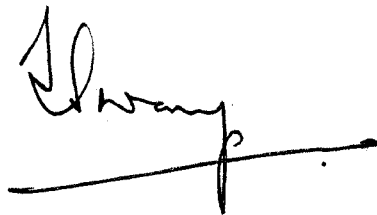
ON 20.07.2010, the Appellant, Shri Sampuran Salooja was present in person and on behalf of the Respondent no one was present.

The Appellant reiterated the submissions already made in his appeal. In response to the appeal, the Respondent have submitted their written reply stating that:

- (a) The mechanical meter No. E9607052 for CRN 2610037627 was changed on 03.11.2007 and a new electronic meter No. 23633587 was installed. The old mechanical meter was found to be slow by 59.21% when tested for its accuracy on 11.10.2007. The assessment for the period 26.04.2007 to 03.11.2007 was raised on the basis of the accuracy test done on 17.01.2008, for consumption of 5662 units, amounting to Rs.28,506/-.
- (b) The new electronic meter No. 23633587 was found to be defective in September 2009 (display faulty) and was thus replaced on 24.12.2009 with a new meter No. 21170906.



- (c) Another meter No. 12461817 installed in the same building for the ground floor in the name of Shri H.R.Salooja vide CRN 2610037488 was also found to be defective (display faulty) in September, 2009 and hence was also replaced on 24.12.2009 by a new meter No. 21170907. While changing both the meters on 24.10.2009, the connectivity of the meters feeding the respective floors got inter-changed. This came to notice only on 30.12.2009 while conducting the test for the meter for CRN 2610037627 for its accuracy in response to the consumer's complaint to the Hon'ble CGRF. This interchange was, thereafter, corrected on 30.12.2009 by changing the leads. The Respondent stated that the correction of the bills on account of lead interchange was not required, as the beneficiary of both the connections was the same person i.e. Shri Sampuran Salooja.
- (d) The bill received by the consumer for the month of November 2009 for 4207 units was for the period from 24.06.2009 to 20.10.2009 i.e. 126 days. The provisional bill raised on account of defective meter for the billing cycle September 2009 had been adjusted while raising the November bill.
- (e) It was further submitted that for the same period last year, i.e. from 03.07.2008 to 31.10.2008, the consumption of the Appellant was 4837 units for 120 days only.



3.1 The Respondent was asked to produce the following information:

- (i) downloaded readings of the two electronic meters from 2007 onwards
- (ii) Report after connections of the meters are re-checked, for ensuring that they are correctly connected to the respective floors (ground and first floor)
- (iii) the existing meter installed in October 2009 be re-tested for ensuring its accuracy and the report produced.

The case was fixed for further hearing on 29.07.2010.

4.0 On 29.07.2010, the Appellant was present through his son Shri Sunil Salooja. The Respondent was present through Shri B.N.Jha, DGM (Business- Janakpuri).

Both the parties argued their case. The Respondent admitted that the connections were inadvertently inter-changed on 24.10.2009 while changing both the faulty meters and the connections were corrected on 30.12.2009. It was decided that for this period the bill of the Appellant be rectified, as the other connection belonged to his brother and he was not the beneficiary.

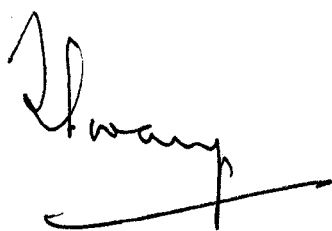
4.1 During the period 24.06.2009 to 24.10.2009, admittedly the electronic meter was defective and was not displaying the readings. Respondent stated that the readings could also not be

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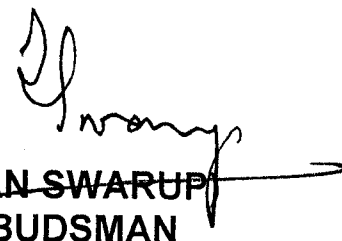
consumption be assessed on the basis of the average consumption for the period 24.06.2008 to 24.06.2009 when the meter was recording the readings correctly. The meter test report dated 1.10.2007, produced by the Respondent indicates that the old electro mechanical meter was found to be slow by 59.21%. Based on this meter test, the Respondent has raised an assessment bill in 2007. The meter test report does not appear to be reliable, as the same reading 43176 is recorded before the test and after the test. The meter test report dated 11.10.2007 should be ignored and the assessment bill for a period of six months prior to 03.11.2007 (when the new meter was installed), be raised on the basis of the average consumption for the corresponding period, as per the readings recorded by the new meter. Amount already paid by the consumer for this period be adjusted.

- 4.2 The new electronic meter installed on 24.10.2009 was tested on 30.12.009 and was reported to be working within the permissible limits of accuracy. However again this meter test report indicates the same reading i.e. 1476 recorded before the test and after the test as well. The Respondent is directed to get the meter re tested to confirm its accuracy and the Report sent to the consumer.

The CGRF's order is modified to the above extent.



3rd August 2010

  
(SUMAN SWARUP)  
OMBUDSMAN