

**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/2011/438**

Appeal against the Order dated 25.02.2011 passed by CGRF–BRPL  
CG.No. 388/2010.

**In the matter of:**

Shri R.C. Vaid - Appellant

**Versus**

M/s BSES Rajdhani Power Ltd. - Respondent

**Present:-**

**Appellant** : Shri R.C.Vaid was not present.

**Respondent** : Shri B.N.Jha, Business Manager, attended on  
behalf of the BRPL

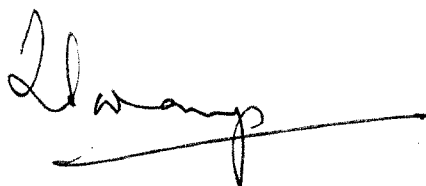
**Date of Hearing** : 30.09.2011

**Date of Order** : 01.12.2011

**ORDER NO. OMBUDSMAN/2011/438**

1.0 The Appellant, Shri R. C. Vaid, r/o C-2/245, Ground Floor, Janak Puri, New Delhi – 110058, has filed this appeal against the order of the CGRF-BRPL dated 23.02.2011 in CG No.388/2010 regarding non-testing of his meter by an independent Third Party.

2.0 The brief facts of the case as per the record are as under:



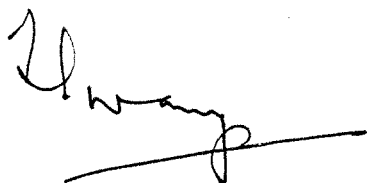
- 2.1 The Appellant filed a complaint before the CGRF-BRPL on 21.09.2010 that he had deposited an application with the Respondent alongwith the Demand Draft No.030373 dated 20.09.2010 for Rs.50/- in favour of Delhi Transco Ltd., towards testing of his electricity meter No.23898606 installed at C-/245, Ground Floor, Janak Puri, New Delhi – 110058, for account bearing K. No.2610H4210226 (CRN No.2610040839), by an independent agency.
- 2.2 According to the Discom, the complaint was forwarded to the office of the Public Grievance Cell, vide Regn. No.4091 dated 04.10.2010. The Public Grievance Cell informed the consumer, vide letter No.GNCTD/PGC/Power (255)/147 dated 18.01.2011, that the testing of electronic meters with the assistance of the Central Power Research Institute (CPRI Third Party) was discontinued w.e.f. 19.11.2010 as the Government of NCT of Delhi proposed to set up its own laboratory for the same.
- 2.3 The CGRF-BRPL after hearing both the parties, vide its Order dated 23.02.2011 in CG No.388/2010, directed the Respondent to expedite the testing of the meter through the Public Grievance Cell, Govt. of NCT, Delhi. A copy of this order was also endorsed to the Public Grievance Cell, Department of Power, Government of NCT of Delhi, for early testing of the meter.
- 2.4 The Appellant, not satisfied with the above order of the CGRF-BRPL, wrote several letters to various authorities, with a copy to the Office of the Ombudsman on 25.07.2011. This letter was



treated as an appeal, as the Appellant had prayed for compliance of the CGRF-BRPL's Order dated 23.02.2011 with regard to Third Party Testing of his meter.

3.0 After receipt of the CGRF-BRPL's records and the para-wise comments from the DISCOM, the case was fixed for hearing on 30.09.2011.

3.1 On 30.09.2011, the Appellant Shri R.C. Vaid did not appear but his letter dated 23.09.2011 was received, stating his inability to appear in person. The Respondent was represented by Shri B.N.Jha, Business Manager. The Respondent stated that the process of Third Party Testing of meters which was being carried out through the Public Grievance Cell earlier, has now been discontinued by the Public Grievance Cell, Department of Power, Govt. of NCT of Delhi. As per the contract entered into by the BSES Rajdhani Power Ltd. with the Electrical Research and Development Association (ERDA), the Third Party Meter Testing charges are Rs.2000/- to Rs.4000/- per meter. The Respondent was asked to forward a copy of the contract. During the hearing, the Respondent clarified that the testing through the Public Grievance Cell was now not available to the consumers, and the Third Party Testing of Meter has to be done directly on the basis of contracts entered into by the DISCOM with Third Party. Regulation 34 of the Code has laid down the Testing Fee Schedule which is being followed by the Discom for testing in



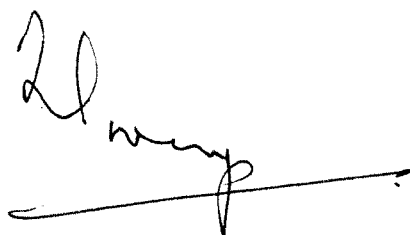
their accredited laboratory. The DERC's Regulations are silent on the Testing Fee payable for Third Party Testing.

3.2 Keeping in view these facts, the Discom was advised to get the meter tested through the ERDA, the Agency notified by the Delhi Electricity Regulatory Commission (DERC), and to pay the charges agreed to as per the contract with them. It was however decided that in case the meter is found to be faulty, the charges would be borne by the Discom. In case the meter, as per the Test Report, was in order, the testing charges paid to the ERDA are to be recovered from the consumer. The case was, fixed for 21.10.2011.

3.3 During the intervening period a letter dt.12.10.2011 was received from Shri Anuj Agarwal, Head-Customer Care, BSES, alongwith the Inspection Report of Performance of Energy Meter at the Appellant's premises by the ERDA, and a copy of the contract with ERDA. According to the Discom, the meter was tested on 04.10.2011, and showed the Test Results as under:

S.No.	Voltage – V	Current – I	Set Impulses	% error
1.	228.2	9.4	1600	+0.04

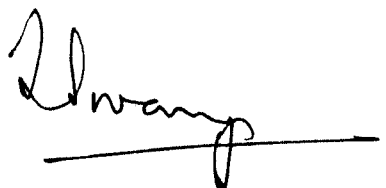
The above Inspection Report was duly signed and accepted by the Appellant, Shri R. C. Vaid. The Inspection Report clearly confirms that the meter was O.K.



4.0 In view of the foregoing facts, no further action is called for. However, the Appellant shall have to bear the cost of Testing of the Meter, as per the contract entered into between the DISCOM and the ERDA. The testing was carried out on the Appellant's request, and the charges are higher than the amount of Rs.50/- already deposited by him.

The case is disposed off accordingly.

1<sup>st</sup> December 2011

  
(SUMAN SWARUP)  
OMBUDSMAN