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**Office of the Electricity Ombudsman**  
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)  
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(Phone No.: 32506011, Fax No.26141205)

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**Appeal No. F. ELECT/Ombudsman/2014/605**

Appeal against the Order dated 28.10.2013 passed by CGRF–BRPL in CG.No.173/2012.

In the matter of:

Shri Hira Lal Arora - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant: Ms. Ashima Arora, niece of the appellant, was present.


Respondent: Shri Varun Sharma (Legal Consultant) and Shri Amit Kumar (Division Head – PJB.) attended on behalf of the BRPL.

Date of Hearing : 25.03.2014, 22.04.2014

Date of Order : 25.06.2014

**ORDER NO. OMBUDSMAN/2014/605**

( This is an appeal filed by Shri Hira Lal Arora, resident of 9A, North West Avenue, Punjabi Bagh, New Delhi – 110026, against the order of Consumer Grievance Redressal Forum – BSES Rajdhani Power Ltd. (CGRF-BRPL) dated 28.10.2013, in the case No.173/2012 on the ground that the CGRF did not appreciate the evidence on record, and observed that no conclusion can be drawn regarding fast recording or jumping of meter on the basis of previous consumption and as such the case had been ordered to be closed.



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The brief facts of the case are that the Appellant had approached the CGRF complaining that the meter installed at his premises was running fast/giving false readings. He had also presented a consumption chart showing the units consumed from 11.12.2009 to 01.12.2011 alongwith summary of the previous consumption from August 2008 to December, 2009. According to him, his meter had jumped three times during 2009 to 2011.

Aggrieved by the CGRF's order, the appellant has filed an appeal, reasserting his plea and prayed for rectification in the bill for the period December, 2009 to December, 2011.

A hearing was held on 25.03.2014. As the representation filed only repeated the points made before the CGRF, the appellant was asked to be more specific. The Appellant wanted more time to clarify exactly the points on which the CGRF's order is sought to be challenged.

On the next date of hearing on 22.04.2014, both the parties were heard. The Complainant submitted more written arguments but these were seen to be only a summary of his earlier representation. The DISCOM also clarified a few points. However to arrive at a conclusion, the DISCOM was asked to supply data of all the meters existing in the premises and also to clarify how the conclusion of shifting of load from one meter to another by the consumer was arrived at. This was done by the DISCOM.

On going through the case details of the present appeal, the following issues emerged for discussion:

- Issue 1. Was there any jumping of the meter as this would throw light on the entire claim of the complainant?
- Issue 2. Working/accuracy of the meter - Was this properly established?
- Issue 3. Was there any shifting of load from one meter to another?

### ISSUE – 1

The DISCOM in its reply has stated that the jumping of the meter as alleged by the appellant is not sustainable in view of the fact that if the meter jumps it has to be faulty and in that situation it would give falls and abnormal readings regularly and not just occasionally. This was not so in the instant case. Therefore, to arrive at this conclusion the testing/accuracy of meter becomes all the more relevant. Since the meter was tested subsequently and found to be properly working this issue is not relevant.

### ISSUE – 2

The consumer has stated that he was not aware of the procedure for testing of the meter. He was also not advised by the DISCOM of the same during his visit to their office. So he was not able to get his meter tested for its accuracy to satisfy himself. As for his contention that he was ignorant of such procedures this cannot be accepted at face value since various options available to the consumer for third party meter testing have already been printed on the bill itself.

Further, the DISCOM has quoted the Regulation 35 & 38, as per DERC Supply Code and Performance Standards Regulations, 2007, which govern this area the relevant extracts of which are reproduced below:

*"35 (ii) General*

*.....*

*(ii) The responsibility of keeping the meter under safe custody shall lie with the consumer. The consumer shall provide suitable and adequate space for installation of the meter where the licensee or its representatives may have ready access. The consumer shall promptly notify the licensee about any fault, accident or problem noticed with the meter.*

*....."*

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*"38 (b) Testing of meters*

.....  
*b. Should the consumer dispute the accuracy of the meter he may, upon giving notice/complaint to that effect and after paying the prescribed testing fee, have the meter tested by the Licensee."*  
....."

In the present case, the appellant has neither approached the DISCOM's office for lodging any complaint for testing of meter nor deposited any testing fee and is relying only on his ignorance, which is not sustainable. In any case, the accuracy of the meter in question was got tested subsequently after its removal from the consumer's premises on account of non-payment of bills (as per the order of the CGRF) and same was found to be in order. Therefore, the plea of the consumer that his meter was giving false reading or was jumping is not correct.

**ISSUE 3**

Regarding shifting of load, the CGRF has agreed with the contention of the DISCOM that the premises in question are quite big and more meters have been found at the consumer's premises in addition to the meters under observation. The CGRF also stated that the consumer is in the habit of shifting his load from one meter to another and as such, no conclusion can be reached regarding fast recording/jumping of the meter on the basis of the previous consumption.

A specific query was also made to the DISCOM regarding the basis for their submission on the shifting of load by consumer to other meters as to how this was arrived at. They were asked if there was any inspection report of equipment/switches for shifting load having been installed by the consumer. The

DISCOM in their reply has stated that there was no inspection carried out as such. This, therefore, remains only a presumption.

However, it will be worthwhile to note that the accuracy of the meter of the consumer was got tested as per the CGRF order which was found to be O.K.. Since the accuracy of the meter was found O.K., the relevance of the comparison of consumption from one period to another and of the reported as shifting of load from one meter to another meter has no meaning.

Further, the consumption data supplied by the DISCOM of all the existing connections at the said premises does not reveal any pattern. The DISCOM is at liberty to get the testing of all these meters carried out so as to arrive at the status of working of meter to take further action as per testing report thereof.

In view of the foregoing details, it is evident that working/accuracy of meter of the appellant was found OK in the report which was placed on record before the CGRF. Therefore, there is no merit in the plea of the consumer that meter was giving false readings/jumping of meter. As such the case is ordered to be closed and disposed off accordingly.

  
(PRADEEP SINGH)  
Ombudsman

25th June, 2014

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