

Office of the Electricity Ombudsman

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)

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Appeal No. F. ELECT/Ombudsman/2015/655

Appeal against the Order dated 12.08.2014 passed by CGRF–BRPL in CG.No.328/2012.

In the matter of:

Shri Prabhjit Singh Dhawan - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant: Shri Prabhjit Singh Dhawan was present in person.

Respondent: Shri Sharad Pandey, Circile Head (South), attended on behalf of the BRPL.

Date of Hearing : 30.10.2014, 03.11.2014

Date of Order : 06.01.2015

ORDER NO. OMBUDSMAN/2015/655

This is an appeal filed by Shri Prabhjit Singh Dhawan, R/o E-1, 180/181, Ground Floor, Lajpat Nagar – I, New Delhi – 110024, against the order of the Consumer Grievance Redressal Forum (CGRF) dated 12.08.2014, in which it has found that the payments of Rs.15,392/- paid on 26.05.2004 and Rs.21,580/- paid on 25.10.2005, against his connection, were appropriately credited in appellant's electricity connection account. Hence, it was found, he was not entitled for any refund.

The brief facts of the case are that the consumer had approached this office earlier also against the order of the CGRF-BRPL dated 06.06.2013 for

refund of the two above listed payments (with interest up-to-date) made by him to the DISCOM. On going through the order of the CGRF, it was noticed that the issue has not been dealt with by the CGRF. Accordingly, his case was forwarded to the CGRF on 02.09.2013 vide letter no.E.OMB/BRPL-Misc./2013/2061 with the direction to decide specifically on the issue of refund of the above-said two payments made by him to the DISCOM.

The CGRF in its order dated 12.08.2014 has recorded that they have examined the record produced by the DISCOM and, after due deliberation, decided that the payments in question were duly accounted for in the electricity connection accounts of the consumer and there are no excess payments and as such he is not entitled for any refund. So the case was ordered to be closed and disposed off accordingly.

Now, not satisfied with this order of the CGRF, the complainant has again approached this office reiterating his plea that payments as stated above be refunded with interest up-to-date which was made by him under duress of a warning letter of the DISCOM to disconnect the electricity supply of his house. Compensation of mental harassment and monetary loss due to travelling etc. may also be given to him.

The DISCOM in their reply has reiterated their stand taken before the CGRF that payment of Rs.15,392/- dated 26.05.2004 and Rs.21,580/- dated 25.10.2005, claimed to be excess payment made by the appellant, were duly accounted for in the consumer's electricity accounts and no excess payment has been made by him. Accordingly, no refund is admissible to the appellant. In support, they have supplied a copy of the details of the bill statement. They have, further, clarified that the payments were made into two separate CRN nos. viz. No.2540047867 & No.2540143069 but pertain to the same single connection of the appellant given in the year 1996.

The existence of two CRN numbers for the same connection came about due to change of billing cycle from bimonthly to monthly. This may have caused confusion in the mind of the complainant.

In the hearing held on 30.10.2014, both the parties wanted time to resolve the issue, which was granted.

On the next date of hearing on 03.11.2014, both sides wanted to file detailed replies in addition to their earlier statement which was granted and the case was reserved for orders. Both sides have now filed their additional replies.

On going through the details of the case, it is observed that the issue of non-reconciliation of the payments made by the appellant arose primarily on account of two reasons:

1. Firstly in October, 2005, the letter 'L' was added in his address on the bill. The DISCOM have clarified that this was added unintentionally while changing the billing software from bimonthly to monthly basis and the same is only a typographical error.

A scrutiny of the bill details indicates that the meter serial no. of the consumer is the same, although the word 'L' was added in his bill address. As there was no material effect on the billing of the consumer with the meter remaining the same, therefore, the plea of the DISCOM is tenable.

2. Secondly, the meter installed at the premises of the consumer at the time of energization of his connection had a serial no.56205. This was subsequently mentioned as 0056205D4 but the meter was physically the same as the DISCOM has clarified that this is the same meter as was installed at the time of energization. However, prefix and suffix (D4)

have been added to the meter serial no. to make it compatible with the new billing software requirement. This is in line with the policy adopted by the company and to substantiate this, they have mentioned a few cases wherein the suffix D1, D2 or D5 were added to the main meter serial no.. Moreover, the scrutiny of the reading recorded in the bill of the consumer indicates that the readings before and after this addition in meter serial no., are uniform and there is no inconsistency in the readings. Therefore, the clarification given by the DISCOM that the same meter remains in position is correct.

The DISCOM has also furnished the billing sheet of the consumer. The scrutiny of the payment details indicates that both the payments in dispute have been duly accounted for by the DISCOM in his electricity bill. Therefore, the order of the CGRF dated 12.08.2014 in which they have examined the record and after due deliberation have come to the conclusion that payments in dispute were duly accounted for in the electricity accounts of the consumer and there was no excess payment, is also correct.

In view of the above, the order of the CGRF is upheld and the appeal of the consumer is dismissed.


(PRADEEP SINGH)
Ombudsman

 January, 2015