

Office of Electricity Ombudsman
(A Statutory Body of Govt. of NCT of Delhi Under the Electricity Act, 2003)
B-53, Pashimi Marg, Vasant Vihar, New Delhi- 110057
(Phone No. 32506011, Fax No. 26141205)

Appeal No. F.ELECT/Ombudsman/2007/214

Appeal against Order dated 28.02.2007 passed by CGRF – BRPL in Case No.CG/447-2006

In the matter of:

Shri O P Verma

Appellant

Versus

M/s BSES Rajdhani Power Ltd. -

Respondent

Present :

Appellant : Shri O P Verma attended in person

Respondent : Shri S K Kansal, Business Manager (Saket),
Shri R S Yadav, Section Officer

Date of Hearing: 20.12.2007

Date of Order : 28.12.2007

ORDER NO. OMBUDSMAN/2007/214

1. The Appellant Shri O. P. Verma r/o E-87, Malviya Nagar Extension, Saket, New Delhi – 110 017 has filed this appeal against the order of the CGRF dated 28.2.2007 in case no. CG/447/2006. He has prayed that the impugned CGRF order dated 28.02.2007 may be set-aside; for the entire period from 30.08.1995 to 04.05.2005 the meter be declared as defective and electricity charges be levied only for six months prior to the replacement of the meter on 04.05.2005. Consequently, the electricity charges paid from 30.08.1995 to 04.05.2005 be

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refunded/adjusted in future bills. He has also requested that the bills be revised after deleting the LPSC charges. Compensation be awarded to him for harassment caused to him.

2. The brief facts of the case are as under:

- 2.1 The Appellant is a resident of E-87, Saket, New Delhi-17, having an electricity connection K. No. 2520 G103 0788, with a sanctioned load of 2.5 KW for domestic purposes.
- 2.2 The meter was running fast since installation in November 1994. He approached the Respondent and also lodged a written complaint on 30.08.1995, but no action was taken. He requested for testing of the meter and deposited fees of Rs. 50/- on 23.10.2004.
- 2.3 The Appellant filed a complaint before the CGRF on 11.12.2006 for rectification of inflated bills with copies of his letters dated 04.02.2003, 24.02.2005, 11.08.2005, 02.09.2005 and 28.09.2006 addressed to the Respondent.
- 2.4 The meter was tested on 22.01.2005 and found to be 5.08% fast. This meter was replaced on 04.05.2005.
- 2.5 The Respondent vide his letter dated 22.12.2006 informed the CGRF that Appellant's bill was revised on 17.08.2005 by giving due benefit from 16.01.2003 to 04.05.2005 for an amount of Rs.8,090/-.
- 2.6 The CGRF in its order dated 28.02.2007 directed that the benefit of recovery of the extra charges should accrue to the Appellant from 16.01.2003 to 04.05.2005 and the meter be declared faulty during the period 16.01.2003 to 04.05.2005. Accordingly, the assessment of consumption be made on the basis of consumption recorded by the new meter from 04.05.2005 to 09.06.2006, subject to the condition that the amount of credit due should not be less than Rs.8,090/-. In other words, the higher of the two credits – (a) as worked out on the proposed assessment or (b) previous credit of Rs.8,090/- be given to the Appellant. Further, no LPSC be levied while revising the bill as

per the aforesaid directions. The CGRF also awarded a token compensation of Rs.1,000/- to the Appellant for harassment caused due to abnormal delay in testing of his meter.

3. After scrutiny of the appeal, records of the CGRF and records produced by the parties, requisite clarifications were obtained from the Respondent vide this office letter dated 30.10.2007 and 13.11.2007. The hearing in the matter was fixed on 20.12.2007. The Appellant Shri O.P. Verma was present in person. The Respondent was represented by Shri S.K. Kansal, BM (Saket) and Shri R.S. Yadav, Section Officer.
 - 3.1 The Appellant presented his case and requested for relief in respect of the faulty meter from the date of its installation in November 1994. However, he could not produce any evidence to show that the meter was faulty since installation, or any record to prove that he requested for testing of the meter between November 1994 and January 2003.
 - 3.2 The Respondent stated that as per the meter test report dated 22.02.2005 the bill was revised on 17.08.2005 and the Appellant was given a credit of Rs. 8,090/-. It was further informed that the bill for the period 16.01.2003 to 04.05.2005 has now been revised again, as per the CGRF's order dt. 28.02.2007 (based on the average consumption of new meter from 04.05.2005 to 09.06.2006), and the credit amount so worked out is more than Rs. 8,090/-.
4. After careful consideration of the records and after hearing both the parties, there does not appear to be any justification for interfering with the CGRF's order dated 28.02.2007.

Dated

28th December 2007.

S. Suman Swarup
(Suman Swarup)
Ombudsman