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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/2012/502**

Appeal against Order dated 23.04.2012 passed by the CGRF–TPDDL in CG.No. 4019/01/12/NRL

**In the matter of:**

Shri Virender Kumar  
(Proprietor of M/s Vinod  
Enterprise)

**Appellant**

**Versus**

M/s Tata Power Delhi  
Distribution Ltd.

**Respondent**

**Present:-**

**Appellant** The Appellant, Shri Virender Kumar was represented by Shri Shiv Chetry, Advocate.

**Respondent** Shri Vivek, Sr. Manager (Legal), and Shri G.C.Bansal, attended on behalf of the Respondent.

**Date of Hearing** : 08.01.2013

**Date of Order** : 16.01.2013

**ORDER NO. OMBUDSMAN/2013/502**

The Appellant, Shri Virender Kumar, had filed an appeal against the order of the CGRF – TPDDL dated 23.04.2012 rejecting his contention of issuing of one excessive bill said to be caused by replacement of meter by the DISCOM allegedly without checking the accuracy of the meter.



The arguments of the Appellant were that the meter was working alright and should not have been changed; that the premises had been vacated and hence there was no consumption. Once the property was again given on lease in September 2012, the consumption started increasing. He contended that the replacement of the meter had somehow given them a huge bill which they should not be asked to pay.

The DISCOM's representatives pointed out that the meter stopped recording on 05.05.2011. The meter was changed on 02.08.2011, and the period from 05.05.2011 till the change of the meter was assessed on the basis of average consumption recording during the one year prior to 05.05.2011 as per clause 43 (i) of the Supply Code & Performance Standard Regulations 2007. These facts have also been mentioned in the order of the CGRF, as they are non-controvertible. The Regulation provides for assessment of consumption as mentioned in the above clause. The assertion that the building was vacant during the period, hence the meter was not recording any consumption and was not defective requiring removal is undermined by the laboratory report of M/s Secure and the Load Survey Graph showing the meter had stopped working on 05.05.2011.

The Appellant's argument that removal of the meter and installation of a new meter somehow led to an increased bill is incorrect. The DISCOM is required to ensure that the meter is functioning correctly and a faulty meter is always to be replaced. In addition, even if the DISCOM replaces a properly functioning meter by another properly functioning meter, for some reason, even this should not be an objectionable action as the bill generated should be correct. It is not the

case of the Appellant that the new meter is faulty. Further, the disputed period is only for 3 months, and it would be difficult to believe the DISCOM would go to the extent of changing a functioning meter only to allow them to issue a higher bill only for a period of 3 months from 05.05.2011 to 02.08.2011.

Further, vacancy can be used as an argument for adjusting the electricity bill if due notice of vacancy is given in advance which was not the case here.

Since there is no doubt that the meter was faulty and about the date of change of meter and there is no defect in the application of the relevant clause of the Regulations on assessing consumption, the arguments of the Appellant do not stand. There is no infirmity apparent in the order of the CGRF and the appeal appears to be vexatious in nature as all the facts are crystal clear. This appears to be an attempt to avoid paying for electricity consumed.

The appeal is therefore dismissed.

  
(PRADEEP SINGH)  
OMBUDSMAN

16th January, 2013

