

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-cum-Fax No.: 011-26141205)

Appeal No.767/2016

IN THE MATTER OF:

Shri Amit Garg - Appellant

Vs.

M/s BSES Yamuna Power Ltd. – Respondent

(Appeal against order dated 05.12.2016 passed by CGRF- BYPL in CG No. 35/09/2016)

Present:

Appellant:

1. Shri Amit Garg, Appellant
2. Shri SB Pandey, Advocate

Respondent:

1. Smt Kashmi Gupta, Manager (Legal), BSES-BYPL
2. Shri Prabhat Mukriya, Dy GM, BSES-BYPL
3. Shri Sourav Bandyopadhyay, Sr. Manager, BSES-BYPL

Date of Hearing: 25.01.2017

Date of Order: 30.01.2017

ORDER

1. Appeal no.767/2016 has been filed by Shri Amit Garg, s/o Shri Prem Chand Garg, r/o 8/94-B, Nehru Gali, Vishwash Nagar, Delhi -110032, against the verdict of CGRF-BYPL in order No. 35/09/2016 dated 05.12.2016.

2. The background, as per the Appellant, is that there was no display in the meter installed at his premises which was finally replaced by the Discom (Respondent) on 18.07.2016 following telephonic complaints by him. The provisional bills issued from April, 2016 till the meter replacement was duly paid by him. His complaint is that he has now been served with a bill for Rs. 4,20,610/- for a consumption of 71,164 units for the period 01.04.2016 to 18.07.2016 – a span of a little more than three and a half months – whereas his consumption prior to this over a six month period was only 72,308 units. His request for a revision of the bill for this defective period as well as a change of name of the connection to his favour has not been accepted by the CGRF, prompting this plaint.

3. The Discom's (Respondent) response is that the Appellant's meter was removed following the complaint that it was not displaying any readings and subsequently subjected to a laboratory test which was duly witnessed by a representative of the Appellant. The test showed that only the meter's display was faulty while its accuracy was unaffected and in order. The replacement of meter was carried out in the presence

Page 1 of 2

Prishma



of the Appellant's representative (also his brother), Shri Narender Kumar, when the final reading of the removed meter stood at 54,855.77 KWH or 57248.5 KVAH as recorded through the Common Meter Reading Instrument (CMRI). Further, the Appellant agreed to pay the bill, as per the request letter signed by his representative, in four instalments for the period in question without disputing the reading on the meter. The Discom's position is that no revision of the bill is called for as it has been raised on the basis of the actual reading as registered by the meter. Moreover, the pattern of the Appellant's electricity consumption during the corresponding period over the past three years i.e. 2013, 2014 & 2015 is consistent with the consumption pattern during the period in question.

4. I have heard both parties and examined the material on file. It is a matter of record that the faulty meter was changed following complaints from the Appellant and the replacement carried out in the presence of his representative, his brother, who signed the papers in token of its replacement and which clearly indicated the final reading as registered by the CMRI. The meter was subsequently tested in the laboratory in the presence of the Appellant's representative where it was found that although the display was faulty, it did not impact the accuracy of the meter's reading itself as registered through the CMRI. There are no grounds to cast any doubt on the validity of the readings taken at the time of the meter's replacement as invalid or call into question the technical test report. Furthermore, the electricity consumption pattern during the period under review is commensurate with the consumption levels of the preceding three years. The bill raised by the Discom on the basis of the final readings recorded before the meter's replacement has, therefore, to be taken as being in order and payable by the Appellant.

5. Notwithstanding what has been stated above, it was incumbent upon the Discom to clearly convey and explain to the Appellant the nature and meaning of the findings in easily comprehensible, non-technical language. On the contrary, the wording of the meter's test report conveys an erroneous impression that the meter was faulty with the validity of the energy consumption reading itself being in doubt. The comment in the conclusion column of the meter's test report stating "meter found faulty" without any explanations or clarifications against the accuracy test parameters only serves to reinforce this impression whereas the report should have clearly and unequivocally stated that the display failure had no bearing or impact on the accuracy of the meter in registering energy consumption.

6. In summary, therefore, it is held that the bill raised by the Discom is in order and the Appellant liable to pay for the energy he has consumed as recorded by the CMRI before the meter's replacement. Regarding the Appellant's contention that his demand for a name change has not been acceded to by the Discom, the latter has already clarified that a name change cannot be effected when dues are pending for payment. Nevertheless, the Discom is directed to expedite this process once the dues have been cleared and necessary formalities fulfilled.

No interference with the CGRF's verdict is called for and the plaint stands disposed off accordingly.



Sundaram Krishna
(Sundaram Krishna)
Ombudsman

30.01.2017

Page 2 of 2