

## **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.792/2017**

#### **IN THE MATTER OF:**

Shri S.S. Gogia- Appellant

Vs.

M/s BSES Rajdhani Power Ltd. – Respondent

(Appeal against order dated 21.06.2017 passed by CGRF- BRPL in CG No.46/2017)

#### **Present:**

Appellant: Shri S.S. Gogia

Respondent: Shri Vikram Narula, DGM, Shri Bhupendra Singh, CO and Shri Deepak Pathak, Advocate – authorized representatives of the Discom.

Date of Hearing: 13.09.2017

Date of Order: 18.09.2017

### **ORDER**

1. Appeal No.792/2017 has been filed by Shri S.S.Gogia, R/o M-4, New Multan Nagar, New Delhi – 110056 against the order dated 21.06.2017 of CGRF-BRPL in CG No. 46/2017. The basic grievance of the Appellant is that the Discom (Respondent) has incorrectly computed his bills by using the definition of a calendar month as 30 days till 2011 even if it was 31 days long and subsequently taking 31 days as the definition of a month even if the number of days were less. His claim is that he has been disadvantaged as far as getting the benefit of lower tariff rates applicable to initial slabs of consumption.

2. The Discom, in its response, has stated that the Appellant's complaint has no substance as they have followed the definition of a month as established by the Delhi Electricity Regulatory Commission (DERC) which had clarified, through its letter No.F.3(276)/Tariff/DERC/2011-12/2979 dated 13.02.2012, that:


*"the Commission in its MYT [Multi Year Tariff] order for FY 2008-11 has clarified the 'Definition of Month' which is reproduced below:... 'the Commission has examined the issue and it is observed that there is no uniform approach among the Discoms regarding the definition of a month, whether 30 days or otherwise, to calculate the units eligible for different slabs which leads to confusion. It is, therefore, of the view that the Discoms shall use actual number of days in that calendar month to arrive at the number of units eligible for different slabs in a particular billing period. This will ensure uniformity and mitigate the inconvenience being caused to the consumers of different Discoms.'"*


3. Both the parties have been heard and the material on record taken into consideration. During the hearing, the Appellant held that the bills issued to him were on the basis of a calendar month of 30 days till 2011 with the pattern changing after that as a result of which, he had been disadvantaged in availing of the subsidy available for the initial slabs. The Discom explained that the formula communicated by the DERC was the operative one and that the Appellant had not been disadvantaged in any fashion and confirming, in response to direct query, that the full benefits of whatever subsidy the Appellant was eligible for had been allowed to him. The Appellant could not give a clear response to queries as to exactly what formula he had in mind, what problems he had with the calculation methods/formula used by the Discom, the quantum of loss he had allegedly suffered as well as why he was raising these issues in 2017 after the passage of so many years.

4. Having taken all factors into account including the responses of the parties during the hearing, I am of the considered opinion that the Appellant's complaint does not have a sound basis and that the CGRF has correctly found no infirmities with the Discom's billing method. The DERC's guidelines, reproduced above, are clear enough and the Discom has also confirmed in no unequivocal terms that the Appellant has not been disadvantaged in any way in the matter of the subsidy he is eligible for as well as explaining the formula used by them in calculating bills.

5. Accordingly, no substantive basis for intervention in the verdict of the CGRF is called for and the appeal is accordingly declined.

  
*Sundaram Krishna*  
**(Sundaram Krishna)**  
**Ombudsman**  
**18.09.2017**