

DELHI ELECTRICITY REGULATORY COMMISSION

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110 017

F.11(414)/DERC/2007-08/C.F.No.1254/5159

Petition No. 22/2008

In the matter of : Complaint under Section 142 of the Electricity Act, 2003

AND

In the matter of:

Kulwant Rai Sharma
S/o Late Sh. A.N. Sharma
Plot No. 21, G/F, Road No. 13,
East Punjabi Bagh,
New Delhi.

...Complainant

VERSUS

BSES Rajdhani Power Ltd.,
Through its: CEO,
BSES Bhawan, Nehru Place,
New Delhi – 110 019.

...Respondent

Coram:

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &
Sh .J.P. Singh, Member.**

Appearance:

1. Sh. Sita Ram , DGM (BRPL)
2. Sh. S. Bhata., Sr. Manager, Enf., BRPL

ORDER

(Date of Hearing: 13.09.2011)
(Date of Order: 29.11.2011)

1. The above complainant has submitted that he is a retired Class-I gazetted officer (Director, Ministry of Irrigation) of 80 yrs. old and is having two domestic electricity connections right from DVB period. Out of the above, one connection is of 1kW, whereas another connection is of 2 kW. He got enhancement of the load of first connection to 11 kW on his request dated 22.05.2002.

2. He has submitted that at the time of enhancement of load his old meter was removed and another meter for 11kW load of three phase connection was installed. However, suddenly this three phase meter got burnt, which was replaced on 26.12.2004 by a 5 KW meter.
3. However, Respondent instead of raising bill on 5 KW load continued raising bill of 11kW, which was protested by the complainant. This meter was also burnt on 06.06.2007 which was informed to the Respondent.
4. It has been alleged that the Respondent instead of replacing the meter, energised the connection directly stating that the Respondent is sending bill on known existing meter which was removed long time back. Respondent issued a notice under Section 56 for disconnection of supply of the non existing meter. On this when the complainant approached the Respondent then the officers of the Respondent gave an undertaking to the complainant on the face of the bill dated 04.06.2003 writing "stop the billing". However, the billing continued, which were not paid by the Complainant.
5. On 29.11.2007 the premises of the complainant was inspected in his absence and his supply was disconnected and a case of theft was registered against the known existing meter (K.No. 2640T1130147) which was removed long time back.
6. Notice was served on 03.12.2007 by post.
7. The complainant raised the issue of violation of Regulation 40, 54 of DERC Supply Code & Performance Standard Regulation, 2007 & certain deficiency in services.
8. In response to the above, the Respondent informed the Commission vide its letter dated 27.06.2008 that on 29.11.2007 their enforcement team inspected the house and one connection was found directly being used by the complainant. Meter was found burnt and bypassed and on this basis an assessment bill for Rs. 2,27,584/- was issued.
9. The above action was challenged in CDRF by complainant on 18.01.2008. However, in the hearing held on 21.04.2008 in the CDRF, the Respondent informed the forum that they have withdrawn the theft case along with the theft assessment bill and the supply of the complainant has been restored.
10. Further, due to non attending of the case, in the CDRF by the complainant the above complaint was dismissed in default.

11. The matter was listed for hearing in the Commission on 13.09.2011, which was attended by the officers of the Respondent stated above. However, no one appeared on behalf of the complainant. At the time of hearing, the representative of the Respondent submitted that the above case of theft bearing ID No. RJ031207D077, which was booked on 29.11.2007, was dropped and complaint case no. 325/2008, which was pending before the special court was also withdrawn on 01.09.2010 and thus there is no dispute remaining in respect of the said theft case. He assured that they will file affidavit on the above, which was filed on 18th August, 2011. The Commission vide its notice dated 24th October, 2011 forwarded the copy of the same affidavit for seeking confirmation/denial from the complainant with the condition that on his failing to reply, the matter will be considered as amicably settled and withdrawn. Since, the complainant has failed to give a reply, therefore, it is construed that the complainant has nothing to say in the above and there is nothing left to decide on merit and hence the present complaint is disposed off as amicably settled and withdrawn.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P. D. Sudhakar)
CHAIRPERSON