



Office of 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
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Appeal No. F. ELECT/Ombudsman/2007/144

Appeal against Order dated 16.10.2006 passed by CGRF – NDPL on
Case No. 0870/09/06/RHN (K.No. 44100133287)

In the matter of:

Shri Satya Pal Gupta - **Appellant**

Versus

M/s North Delhi Power Limited - **Respondent**

Present:-

Appellant Shri Satya Pal Gupta

Respondent Shri Ravinder Kaushik, Commercial Manager
Shri Sunil Dutt, Section Officer (Accounts)
Shri Vivek, Executive (legal) along with Shri. Suraj Das Guru
Executive (legal) on behalf of NDPL

Date of Hearing: 04.04.2007

Date of Order : 01.05.2007

ORDER NO. OMBUDSMAN/2007/144

The appeal is filed against CGRF order dated 16.10.06. In the appeal it is stated that the appellant made a request to the Discom on 12.12.05 for disconnection of his supply, issue the final bill and to refund the security and other amounts due to him.

The NDPL disconnected the supply on 17.12.05 and removed the meter on 22.12.05.

The NDPL issued a bill in January 2006 under LPSC waiver scheme indicating principal amount of 8160/- and LPSC waiver amount of Rs.6731/- Appellant promptly deposited Rs.8160/- on 6.1.06 to avail the benefit of LPSC.

However, the Discom failed to raise the final bill within 5 days as required by the DERC Regulation.

The appellant made another request on 23.3.06 followed by a reminder dated 30.6.06. A further letter dated 13.7.06 was sent by him to the Discom for final bill and refund of security deposit. On failing to get any response from the NDPL the appellant filed a complaint dated 28.8.06 before the CGRF.

The CGRF in its order dated 16.10.06 directed NDPL to allow interest at 9% on Rs.6673/- for a period of six months i.e. Rs.300/-.

In the meantime, the appellant also filed a complaint dated 1.9.06 in DERC highlighting the delay in refund and in credit of Rs.6740/- .He also prayed for interest at 9% on refund of security.

On receipt of a communication from DERC, the NDPL acted very promptly and informed the appellant vide letter dated 14.9.06 that a cheque for an amount of Rs.6881/- has been prepared and the same may be collected.

The Head of Group (Corporate Commercial of NDPL) simultaneously informed DERC vide letter dated 15.9.06 that consumer has since collected the amount of security refund, and therefore the matter stands resolved.

Not satisfied with the order of CGRF the appellant filed the appeal before the Ombudsman. In the said appeal the appellant asked for 18% interest on the refundable amount from January to September 2006.

He also complained that he had visited the NDPL office 32 times for finalization of this case which took 9 months. For the harassment suffered on this account he prayed for compensation which was not given by the CGRF.

After scrutiny of the contents of appeal, the CGRF records, the submissions made by the Respondent in response to queries raised by the Ombudsman, the case was fixed for hearing on 4.4.07.

On 04.04.07 Shri Satya Pal Gupta, the appellant attended in person. Shri Ravinder Kaushik, Commercial Manager and Sh. Sunil Dutt, Section Officer (Accounts) attended on behalf of the Respondent. Shri Vivek, Executive (Legal) also attended along with Shri Suraj Das Guru, Executive (Legal)

The respondent company could not explain the reason for delay in giving the refund. The CGRF ordered for interest at 9% which was asked for by the appellant before the CGRF. **There is no reason for the appellant praying for 18% interest on the same amount before the Ombudsman.** Hence this prayer of the appellant cannot be acceded to.

However, the CGRF has allowed interest for a period of 6 months whereas interest is allowable for 9 months on the refundable amount .Hence interest needs to be paid for a further period of 3 months at 9 % on the refundable amount i.e. **interest is to be paid by the Discom from January to September 2006 @ 9%.**

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Regarding the second prayer of the appellant, for compensation for harassment, it is evident that there is deficiency on the part of the NDPL in not finalizing the bill and not granting the refund which became due to the appellant in January 2006. No reason has been stated by the Discom for delay in granting the refund.

The appellant had to visit the NDPL office 32 times and certainly deserves to be compensated for the harassment caused to him on this account. While no amount of compensation can make up for the mental agony and harassment caused to the appellant by the insensitiveness of the Discom, a token compensation of Rs.2000/- is allowed to the appellant. The Discom is directed to:

- (i) Grant interest at 9% not for six months as ordered by CGRF but for nine months i.e. from January to September 2006.
- (ii) Grant compensation of Rs.2000/- to the appellant, for the harassment caused on account of the unexplained delay in grant of refund.

The order of CGRF is set aside.

This order must be implemented within 21 days of its receipt and a compliance report to be submitted to the office of Ombudsman.

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(Asha Mehra)
Ombudsman