

**OFFICE OF ELECTRICITY OMBUDSMAN**

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

**B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057**

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**Appeal No. 16/2023**

(Against the CGRF-TPDDL's order dated 27.03.2023 in C.G No. 110/2022)

**IN THE MATTER OF**

Shri Rajinder Pandey

Vs.

Tata Power Delhi Distribution Limited

**Present:**

Appellant: Shri Rajinder Pandey, in person.

Respondent: Shri Ajay Joshi, AGM (Legal) on behalf of the TPDDL

Date of Hearing: 14.07.2023

Date of Order: 17.07.2023

**ORDER**

1. Appeal No. 16/2023 has been filed by Shri Rajinder Pandey, r/o Plot No. 258, Pocket - 9, Sector 21, Rohini, Delhi - 110086 against the CGRF-TPDDL's order as cited above.

2. The background of the appeal arises from the Appellant's claim that the meter (CA No. 60000041446) installed at B-841, Avantika, Sector 1, Rohini, Delhi - 110085, was running fast. In response to his complaints, the meter had been tested twice by the Respondent (Discom), firstly on 19.09.2022 (+0.41%) and secondly on 27.09.2022 (+1.28%). This accuracy of the meter was within the permissible limits. When the Appellant was not satisfied with the testing reports, the Discom advised him to approach the Public Grievance Cell (PGC), Minto Road, for third party meter testing and to check for earth leakage in the internal wiring of his house. On 07.10.2022, the Appellant approached the PGC for third party testing but the same



could not be done due to administrative reasons, and his application is still pending with them.

3. After that he approached the CGRF-TPDDL (Forum) on 07.11.2022, with a complaint that he had received a high consumption bill against the electricity connection (CA No. xxxxx446) in August, 2022 compared to the consumption for the same month in last eleven years. He requested the Forum to direct the Respondent to raise actual consumption bills and replace the faulty meter, in question, as it is more than twelve years old.

4. In rebuttal, the Discom informed the Forum that the complainant does not have any *locus standi*, as the registered consumer is Shri Kishore Singh, therefore, he has to provide an authorization letter as per regulations. The Discom also informed that the meter was checked on two occasions, and both times its accuracy was within the limit, as such, any excess consumption is completely due to an increase in usage only. The Discom further informed that the connection, in question, had already been disconnected on 19.11.2022 due to non-payment of an outstanding bill of Rs. 10,890/-, to which the Forum took an exception, and on the direction of the Forum, the Appellant deposited 50% of the principal amount of outstanding for the restoration of the electricity connection. Furthermore, on the direction of the Forum, the Discom installed a check meter along with the existing meter from 14.01.2023 to 30.01.2023, which showed consumption of 141 units in both meters.

5. In between, the Appellant filed a rejoinder stating therein that he had purchased the premises where the meter existed in 2012 (as per sale deed date 17.02.2010) in his wife's name, Smt. Swarnima Pandey from Smt. Asha Mishra. At that time, there were two electricity connections installed (CA Nos. 60000041446 and 60013286814). He made a request for a change of name, but, only one connection (CA No. 60013286814) had been changed, and the second one remains in the name of Kishore Singh. He has no information about whereabouts of Shri Kishore and even does not know whether he is alive or not.

6. After considering the facts, the Forum observed that as both check meter and existing meter (xxxx446) recorded the same consumption, i.e., 141 units, therefore, the consumption was as per usage. Accordingly, the Forum directed the Discom to waive off all LPSC charges and recover the balance amount in two equal monthly installments. Having regard to the fact that periodic testing of the meter contemplated by the DERC (Supply Code and Performance Standards) Regulations, 2017 had not been carried out, the Forum further directed the Discom





to replace the existing meter with a new one within fifteen days. Regarding compensation, they found no merit as his grievance was handled properly and he was informed regularly in reference to his complaints.

7. Aggrieved by the CGRF's order dated 27.03.2023, mainly on the compensation issue, the Appellant filed this appeal with a prayer to award an appropriate compensation on account of financial, physical and mental agony. He further stated that though the Forum gave an interim direction on 16.02.2023 not to remove the check meter from the site, the respondent removed the same.

8. The Respondent in its written submission to this office has stated that as per Forum's order dated 27.03.2023, the old meter was replaced with new meter on 05.04.2023 and the relevant documents were also submitted for the record. The Respondent further mentioned that the premises where the meter has installed was purchased by the Appellant in 2010 and rented out at the time of removal of the Check Meter. The following consumption chart for the disputed period during 2022 was related to peak summer period and showed the excess consumption by the Appellant.

Period /Readings		Units
From	To	
<u>18.07.2022</u> 20597	<u>21.08.2022</u> 21305	708
<u>22.08.2022</u> 21305	<u>20.09.2022</u> 21914	609
<u>21.09.2022</u> 21914	<u>22.10.2022</u> 22271	357

The Respondent further submitted that the consumption pattern is not indicative of any fault in the meter or jumping of reading by the meter. Even the check meter installed parallel to regular meter did not show any abnormality in the meter, which clearly shows that the consumption in the meter is owing to excess usage of electricity during the particular period of time. Therefore, the apprehension of the Appellant with respect to fast running meter is without any substance.





Regarding removal of the check meter, the Respondent submitted that they had already removed the check meter before the Forum's direction and this was duly apprised to the Forum. However, the Appellant did not raise any objection with respect to non-continuity of check meter at that time. Therefore, contention of the Appellant in appeal is purely an afterthought.

9. The appeal was admitted and taken up for the hearing on 14.07.2023. During the hearing, the Appellant was present, in person, and the Respondent was presented by Shri Ajay Joshi, AGM (Legal) on behalf of the Respondent. An opportunity was given to both to plead their case at length.

10. During the hearing, the Appellant contended that he incurred expenditure on account of testing of electrical wirings of his premises and on travelling from his place of work in Gujrat to Delhi frequently in order to address the issue of excessive billing. There was no earth leakage found in the house wiring. Also, despite depositing fee in Public Grievance Cell for third party meter testing, the same could not be done. He had to run from pillar to post but all in vain.

11. The Respondent was asked how high readings can be corroborated with earlier readings. The Respondent replied that there are two methods for checking of meter (i) checking of accuracy of meter and (ii) installation of check meter in parallel with existing meter. In the instant case, both methods were adopted. The meter was tested on two occasions. There was no mismatch in readings of existing and check meter. The old meter installed in 2013 was replaced on the direction of the Forum. Consumption pattern of the Appellant was also compared with previous years and did not find any abnormality. Therefore, consumption in the meter was due to excess usage of electricity during particular period of time. With regard to variation in testing reports, it was clarified that accuracy in both the reports is within permissible limits, i.e. ( $\pm$ ) 2.5%.

12. The matter has been considered in the light of the material on record. Based on the objection by the Appellant that his meter was running fast, testing of the meter twice on 19.09.2022 and 27.09.2022 revealed that the accuracy was within permissible limits (+0.41% and +1.28% respectively). However, the request of the Appellant for a third party testing could not materialise but apparently did not cause any harm. The consumption pattern during the corresponding months July to September during last two years does not reveal any alarming difference and is solely dependent upon the consumption and use of electricity. Had there been any technical snag, both the meters on the ground floor (CA No. xxxxx6814) and first



floor (CA No. xxxxx1446) of the premises would have been uniformly affected on account of the common supply point. This is however not the case.

13. The record also indicates that the property Janta Flat, B-841, Sector 1, Avantika, Rohini, Delhi - 110085 was purchased by Smt. Asha Mishra, w/o shri Hari Om Mishra from Shri Kishore Singh and got converted into a freehold property from DDA on 17.01.2004 and sold to the wife of the Appellant Smt. Swarnima Pandey through a sale-deed on 11.02.2010. One meter stands changed in the name of Swarnima Pandey and the other remains in the name of Kishore Singh.

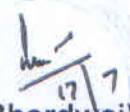
14. This Court, therefore, directs as under:-

(a) There is no infirmity in the order passed by the Forum. The appeal is, therefore, dismissed as devoid of merit, and the order of the CGRF is upheld. He is at liberty to pay the balance amount in two installments as also directed by CGRF.

(b) The Appellant may take immediate steps for transfer of the meter (connection) in the name of Kishore Singh, in his own name or name of the wife, as owner of property.

(c) For getting the electricity line checked, the Appellant incurred expenditure in order to detect any fault in earthing. He also suffered physical and mental agony on account of denial of benefit of third party check of meter, which could have met ends of justice and fair play. For the suffering, this Court directs for payment of an amount of Rs.3,000/- as compensation, which shall be adjusted against the payable bill.

The case is disposed off accordingly.

  
(P. K. Bhardwaj)  
Electricity Ombudsman  
17.07.2023