

Office of Electricity Ombudsman
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)
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Appeal No. F. ELECT/Ombudsman/2007/170

Appeal against Order dated 29.3.2007 passed by CGRF – NDPL in
CG.No. 1085/02/07/MDT (K.No. 31300121303)

In the matter of:

Shri Kuldeep Singh - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri Kuldeep Singh S/o Shri Sant Singh (Appellant)

Respondent Shri B.L. Gupta, Commercial Manager,
Shri Gagan Sharma, Assistant (R&C) ,
Shri Vivek, Executive (legal) and
Shri Suraj Das Guru, Executive Legal all on behalf of NDPL

Date of Hearing: 06.09.2007

Date of Order : 20.09.2007

ORDER NO. OMBUDSMAN/2007/170

The Appellant, Shri Kuldeep Singh, resident of F-21/1, Model Town, Delhi has filed this appeal against CGRF-NDPL order dated 29.03.2007 in the CG No.- 1085/02/07/MDT stating that the CGRF did not consider the Appellant's complaint dated 27.05.2004 as well as subsequent complaints dated 03.12.2004 and 22.06.2006 and passed the order arbitrarily without application of mind.

The brief background of the case is that the meter at Appellant's premises was replaced on 17.03.2004. The new meter showed a much lower reading in the very first month, reflecting a consumption of only 88 units. Appellant filed a complaint with the respondent dated 27.05.2004 stating that the current reading of the new meter is much lower, which indicates that the old meter was running fast. He further stated in the complaint that during the past 2 years he had made several verbal complaints to the meter reader regarding fast-running of meter but no action was taken. Thereafter, Appellant again made written complaints in this regard on 03.12.2004 and 22.06.2006.

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CGRF observed that the average per day consumption prior to 17.03.2004 was 28 units, and average consumption after replacement of meter during the period 17.03.2004 to 12.06.2006 was 33 units per day. CGRF further observed that the first written complaint for fast running of meter was made on 27.05.2004, when the meter had already been removed from site on 17.03.2004. In fact, the consumption after installation of the new meter installed on 17.03.2004 was found to be higher than with the old meter, which according to Appellant, was running fast. CGRF concluded that the meter installed against the connection during the various periods recorded actual consumption, and bills were raised accordingly by the respondent. The dues have accumulated, as consumer had not been making regular payments. CGRF allowed the consumer to clear the dues in 4 equal monthly installments.

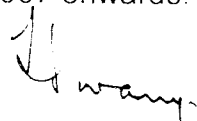
Not satisfied with the CGRF order appellant has filed this appeal.

After scrutiny of contents of appeal, the CGRF's order and submissions made by the Respondent, the case was fixed for hearing on 06.09.2007. The hearing was attended by Appellant Shri Kuldeep Singh in person and on behalf of Respondent Shri B.L. Gupta, Commercial Manager, Shri Gagan Sharma, Assistant (R&C), Shri Vivek, Executive (legal) and Shri Suraj Das Guru, Executive Legal attended. During the hearing Appellant confirmed that he made the first complaint in writing about fast running of meter on 27.05.2004, after the change of meter on 17.03.2004. No record of verbal complaints is available either with Appellant or with Respondent. Appellant further stated that his daily consumption should be about 25 units per day. Appellant stated that Respondent has not taken any action on his complaints made on 27.05.2004, 03.12.2004 and 22.06.2006, nor any reply was given to him. Appellant stated that whenever he went to the Respondent's office he was asked to make part payments but his grievance was not sorted out. He requested for further relief in payment of LPSC and has no complaint regarding present meter installed at his premises.

In reply respondent stated that Appellant had never made a written complaint regarding fast running of old meter prior to 27.05.2004. The meter was not checked at the time of removal because it was not defective. The Respondent further submitted that as per records the average consumption per day for the period 06.07.2002 to 17.03.2004 was 28 units, for the period 17.03.2004 to 12.06.2006 it was 33 units and for the period 12.06.2006 to 16.05.2007 the average per day consumption was again 28 units. Respondent stated that the contention of the Appellant that the meter was fast, is on imaginary grounds.

It is observed that in the written complaint dated 27.05.2004 Appellant has contended that the current reading of the new meter installed on 17.03.2004 is much lower than the old meter which shows fast running of the old meter. Records indicate that Respondent issued a bill after the replacement of the meter for 88 units only, which did not include the consumption for the period 12.01.2004 to 17.03.2004 of the old meter, which comes to 1805 units. Thus it appears the low consumption bill of 88 units (consumption recorded by new meter) in the bill created a doubt in the Appellant's mind that higher consumption reading bills issued earlier, may be due to fast running of the old meter. The bills containing

higher consumption in subsequent months have not been commented upon by the Appellant. Thus the contention of the consumer in his complaint dated 27.05.2004 that the new meter was showing lower reading than the old meter, does not hold good. It is also observed that after replacement of meter, Respondent had not issued the bill based on actual consumption for the period 12.01.2004 to 18.03.2004. Respondent has also not taken any action on consumer's complaint dated 27.05.2004 nor given a reply to the consumer, explaining the actual position. It is also observed that whenever Appellant approached the Respondent's office he was asked to make the part payment, instead of asking the Appellant to pay the bills for the consumption recorded by the new meter which was never under dispute. Thus due to inaction on the part of Respondent in disposing off the complaint of Appellant the dues alongwith LPSC went on increasing. The Appellant is liable to make the payment of charges for the energy consumption recorded by the meter from time to time. Arrears on date on this account are Rs 27606/- which should be paid in 2 installments from October 2007 onwards, alongwith current bills. The LPSC amount has accumulated to the tune of Rs.50490/-. Appellant has sought relief in this LPSC amount on account of delay on the part of Respondent in deciding the issue since 27.05.2004. The LPSC amount be therefore paid in 4 equal installments w.e.f. December 2007 onwards.


(Suman Swarup)
Ombudsman