

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
(Phone No.: 32506011, Fax No.26141205)

Appeal No. F. ELECT/Ombudsman/2007/213

Appeal against Order dated 07.09.2007 passed by CGRF – NDPL in CG.No.1345/07/07/CVL (K.No. 35100130060).

In the matter of:

Shri Girish Kumar - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri O.P. Madan and
Shri Vijay Manghani authorised representative of the appellant

Respondent Shri Suni Kothari, Sr. Manager, (CMG)
Shri V.K. Duggal, Commercial Manager
Shri Amandeep Sodhi, Sr. Officer (CMG), and
Shri Vivek Executive Legal attended on behalf of NDPL

Dates of Hearing : 03.01.2008, 22.01.2008, 28.01.2008

Date of Order : 30.01.2008

ORDER NO. OMBUDSMAN/2008/213

1. The Appellant Sh. Girish Kumar has filed this appeal against the order of the CGRF, dated 07.09.2007 on the following grounds:
 - (a) The prayer of the Appellant has not been considered;
 - (b) The order is vague and not a judicial order giving a definite judgment;
 - (c) The CGRF failed to appreciate that the Respondent did not respond to the applications of the Appellant and it was only before the CGRF that the Respondent came out with lame excuse of Attribute Change Form;
 - (d) The Respondent did not indicate the date or mode of issue of Attribute Change Form to the Appellant; and

Shri

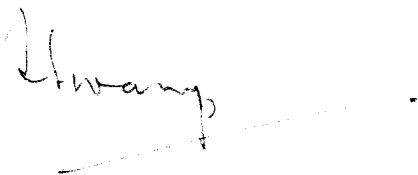
- (e) Even after passing of the CGRF's order, the Respondent did not take any action.

2. The brief facts of the case are as under:-

- i) The Appellant is the beneficiary of electric connection K. No. 35100130060-1 installed at the premises T-820, Malka Ganj, Gali Mandir Wali, Main Road, Delhi. The connection was originally sanctioned for 1.0 KW load for domestic purpose. However, during the Voluntary Disclosure Scheme in 1995, the load was enhanced to 11.19 KW.
- ii) One of the portions of the premises was being used by a tenant for the purpose of running a factory. The factory was sealed on 15.07.2006 and is still lying as such till date. Meanwhile, the tenant has left the premises. Subsequently, the use of electricity substantially reduced and the Appellant applied for the change of name, tariff and reduction of load to 2.0 KW.
- iii) The Respondent registered the Appellant's complaint over the telephone vide number 50385 and provided details of the documents required from him. The Appellant completed the formalities on 12.02.2007 and deposited the pending dues amounting to Rs.2350/- on 10.03.2007;
- iv) The Respondent, however, did not take any action for four months despite various visits and representations by the Appellant.
- v) The Appellant filed a complaint before the CGRF for the redressal of his grievances. The Respondent submitted before the CGRF that the Attribute Change Form was issued to the Appellant but he had not deposited the same and, therefore, change in the name and load could not be effected. As such the matter was delayed by the Appellant by not submitting the Attribute Change Form.
- vi) The CGRF in its order dated 07.09.2007 directed that the Attribute Change Form be filled by the Appellant and a demand note may be issued by 17.09.2007;

3. The Respondent has prayed in his appeal that the change in name be effected without further delay and load reduction be given effect to from the date of completion of formalities on 12.02.2007, and tariff change be made effective from the same date also. The Appellant has also requested for grant of suitable compensation for mental torture, agony and harassment.

4. The hearing in the case was fixed at 11.00 AM on 03.01.2008. The Appellant was present through his advocates Sh. O. P. Madan and Sh. Vijay Manghani. The Respondent was present through Sh. Vivek, Asstt. Manager (Legal), Sh. Sunil Kothari, Sr. Manager, Sh. Amandeep Sodhi, Sr. Officer (CMG), Sh. V.K. Duggal, Commercial Manager, Shakti Nagar, New Delhi. At the outset, the



parties requested for adjournment to work out a mutual settlement. The adjournment was allowed. The next date of hearing was fixed on 22.01.2008 and the parties were directed to file the status of the mutual settlement.

5. Before the hearing on 22.01.2008, the parties submitted a joint Memorandum of Settlement dated 10.01.2008 signed by Sh. H. C. Verma HOG (Comml. Mgmt), Sh. Sunil Kothari Sr. Manager (CMG), Sh. Amandeep, Sr. Officer (CMG), Sh. Shyam Lal Karra, Co-owner and Girish Karra Appellant. It is stated in the Memorandum of Settlement that the category of consumer will be changed from DL/DM to NL and the load would be reduced from 15KW to 2KW, with effect from 01.02.2007 and accordingly credit will be allowed. The Appellant has also agreed to complete the commercial formalities for the change of name, category and for the reduction in the load and to deposit the charges for replacement of service line due to change of load and consumption. Since the Memorandum of Settlement contained factual inaccuracies and was incomplete, the parties were directed at the hearing on 22.01.2008 to file a revised Memorandum giving the correct facts and clear terms of the settlement by 25th January 2008. This has been filed on 28/01/2008.
6. **The appeal is accordingly disposed of in terms of the Memorandum of Settlement dated 23.01.2008 and filed by the parties on 28.01.2008, stating that the load is agreed to be reduced from 11.19 KW to 2 KW and converted to Non-Domestic Category w.e.f. 1.02.2007. The Respondent will complete all commercial formalities for change of name and category within 15 days of this order.**

26th January 2008

Suman Swarup
(SUMAN SWARUP)
OMBUDSMAN