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**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/2007/219**

Appeal against Order dated 11.10.2007 passed by CGRF – NDPL in CG.No.1401/08/07/BDL (K.No.44400141511).

**In the matter of:**

Shri Narinder Kumar Sarwal - Appellant

**Versus**

M/s North Delhi Power Ltd. - Respondent

**Present:-**

**Appellant** Shri Narinder Kumar Sarwal, Appellant attended in person

**Respondent** Shri Arun Sharma, Commercial Manager, Distt. Badli,  
Shri Vivek Executive Legal attended on behalf of NDPL

**Date of Hearing :** 08.01.2008

**Date of Order :** 11.01.2008

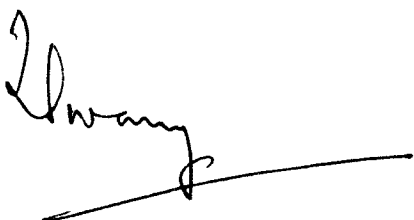
**ORDER NO. OMBUDSMAN/2008/219**

1. The Appellant Shri N.K. Sarwal, owner of Flat No. A-5/18, Sector-16, Rohini, New Delhi – 110085 has filed this appeal against the order of the CGRF dated 11.10.2007 praying that the demand note dated 16.06.2007 for Rs.3,060/- on account of service line deposit and reconnection fee be declared null and void and the CGRF order be set aside.

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

*Sharma*

- 2.1. The Appellant has an electric connection for domestic use at A-5/18, Sector 16, Rohini, Delhi. He is, however, residing at A-26, DDA, Janta Flats, behind D-6 street, Vasant Vihar, New Delhi – 110 057. As the Rohini premises generally remain locked, the electricity supply of the Appellant at his Rohini premises was disconnected on 28.05.2007.
- 2.2. According to the Appellant, the Respondent disconnected the electricity supply without giving him any notice in accordance with the DERC Regulation No. 37 (iv) and 68 of the DERC Supply Code and Performance Standards Regulations.
- 2.3. The Respondent raised a bill of Rs.3060/- for restoration of electricity supply, cost of service line and reconnection fees.
- 2.4. The Respondent stated before the CGRF that a disconnection notice / advice dated 07.05.2007 was served on the Respondent (giving a reference to the disconnection notice dated 10.02.2007) and the supply was disconnected on 28.05.2007 when there was no response from the Appellant.
3. The CGRF in its order agreed with the submissions of the Respondent and awarded 50% relief in the bill towards the cost of service line and reconnection fees.
4. The main issue for consideration in this case is whether the Respondent has issued the notice to the Appellant in accordance with Regulation 37(iv) and 68 of the Supply Code issued by the DERC on 18.04.2007. These regulations stipulate as under:



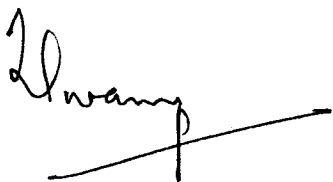
### **Regulation 37: Reading of Meters**

- (iv) If the meter is rendered inaccessible on two consecutive meter reading dates, the Licensee shall serve a fifteen days clear notice to the consumer under proper receipt, to keep open the premise for taking meter reading on the date and time indicated in the notice. If the consumer does not comply with the notice, the Licensee shall after expiry of the notice period cut off supply of the consumer for so long as such refusal or failure continues.

### **Regulation 68: Notice to the Consumer**

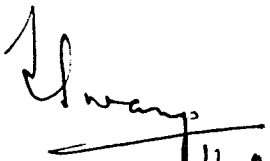
Any order/notice to the consumer by the Licensee including the notice under section 56 of the Electricity Act, 2003 shall be deemed to be duly served by the Licensee if it is:

- (a) Sent by registered post at the correct postal address of the addressee, or
  - (b) Delivered by hand to the person residing at the address notified to the Licensee by the consumer, or
  - (c) Affixed at a conspicuous part of such premises and photographed in case there is no person to whom the same can, with reasonable diligence, be delivered.
5. It is not clear from the perusal of the CGRF folder as well the reply submitted by the Respondent whether the notices dated 10.02.2007 and 07.05.2007 were actually served on the Appellant or these are simply on paper.

A handwritten signature in black ink, appearing to read 'Shwamy', with a long horizontal line extending from the end of the signature.

6. The hearing of the case was fixed on 8.1.08. The Appellant was present in person. The Respondent was present through Sh. Vivek, Asstt. Manager (Legal) and Sh. Arun Sharma, Commercial (Manager) Distt. Badli.
7. At the outset, both the parties stated that they have reached an amicable settlement during the pendency of the appeal. As per the memorandum of settlement dt. 8.1.08 filed by both the parties jointly and taken on record, bill for payment of charges of Rs.3060/- for restoration of supply in respect of K. No. 44400141511 stands withdrawn by the Respondent.
8. The case is disposed off as decided in terms of the mutual settlement reached between the parties.

11/15 January 2008

  
(Suman Swarup)  
Ombudsman  
11.01.08