

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/2007/224

Appeal against Order dated 12.11.2007 passed by CGRF-NDPL in CG.No.01405/08/07/SMB (K. No. 31507003747).

In the matter of:

Shri Kishan Lal - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

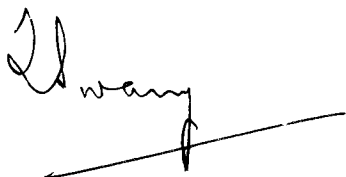
Appellant Shri Kishan Lal

Respondent Shri Rajeev Gupta, Commercial Manager
Shri Promod Kumar, Section Officer and
Shri Vivek AM (Legal) attended on behalf of NDPL

Dates of Hearing : 23.01.2008, 28.01.2008
Date of Order : 28.01.2008

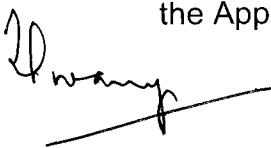
ORDER NO. OMBUDSMAN/2008/224

1. The Appellant Sh. Kishan Lal, has filed this appeal against the order of the CGRF-NDPL dated 12.11.07 in case no. 01405/08/07/SMB wherein the Appellant was directed to apply for a new permanent connection and the same is to be sanctioned by Respondent after completion of commercial formalities and deposit of Rs.4907/-, being the arrears pending against the connection sanctioned earlier in the Appellant's name.



2. The background of the case is as under:

- i) The Appellant had earlier applied for a temporary electricity connection and deposited Rs.2100/- on 12.3.04, K. No. 3150 7003 747 was allotted in his name. On 15.10.04 the Appellant made a complaint to the respondent for installation of a meter.
- ii) The Appellant states that he received a bill of Rs.4907/- dated 30.11.04 without installation of any meter. The Appellant made several complaints to the Respondent officials but no action was taken and another bill of Rs.6960/- dated 5.2.05 was issued.
- iii) On 16.8.07 the Appellant filed a complaint before the CGRF. During the hearing before the CGRF, the Respondent informed that as per their records the meter no. 0104370579 was installed on 4.6.04 for the temporary connection sanctioned in the name of the Appellant. The Bills on actual reading basis were raised against the connection.
- iv) The Statement of Account submitted by the Respondent indicates that the reading recorded was 519 on 13.8.04 and 1380 on 18.11.04 and thereafter no readings have been recorded. The copy of the protocol of the meter installation sheet indicated that meter no. 0104370579 sanctioned for temporary category was installed on 4.6.04. The Respondent further informed that the site inspection report dated 17.2.06, states that no meter was found at the site and the Respondent treated the meter removal date as 17.2.06.
- v) The CGRF observed that a temporary connection was energized in favour of the Appellant against the deposit of Rs.2100/- on 12.03.2004. The CGRF ordered that the Appellant should apply for fresh a permanent connection and the same be sanctioned after completion of commercial formalities and after deposit of a sum which may become due after adjusting the advance consumption deposit against the outstanding dues of Rs.4907/- reflected in the bills of November 2004, and pending against the connection sanctioned earlier in the name of the Appellant.



Not satisfied with the orders of the CGRF, the Appellant has filed this appeal.

3. After scrutiny of the appeal, the records of the CGRF and submissions made by both the parties, the case was fixed for hearing on 23.1.08.

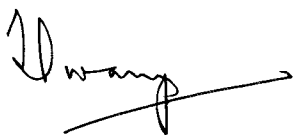
On 23.1.08, the Appellant Sh. Kishan Lal was present in person. The Respondent was present through Sh. Rajeev Gupta, Commercial Manager, Sh. Promod Kumar, Section Officer and Shri Vivek AM (Legal),

The Respondent had been directed to produce the original records relating to this case. They could not produce any original records and were directed to produce such records on the next hearing on 28.1.08.

On 28.1.08 Appellant was present in person, Respondent was present through Sh. Jagat Singh. Distt. Manager, Sh. Rajeev Gupta, Commercial Manager, Sh. Promod Kumar, SO and Sh. Viviek, AM (Legal),

Both parties were heard. From the records relating to installation of the meter for the temporary connection sanctioned in 2004, the meter reading record, and the site inspection report, it is clear that a meter was in fact installed, but who removed it, is not evident. The meter readings were taken on two occasions showing a consumption of 1380 units upto November 2004.

4. Considering all the facts and circumstances of the case, it is evident from record that a meter was in fact installed at the Appellant's premises and the Appellant as per reading, has consumed 1380 units of electricity. Payment for these units consumed only be recovered. The Respondent confirmed at the hearing that the amount to be paid for consumption of 1380 units would be Rs.3767.40. The Appellant has already paid Rs.2100/- for a temporary connection and Rs.1635/- for filing the appeal i.e. a total of Rs.3735/-. The Respondent states that Rs.1200/- out of Rs.2100/- is the cost of the meter, which is not traceable, and Rs.900 is on account of security. Since neither party could give any proof of the whereabouts of the meter, the amount of Rs.1200/-

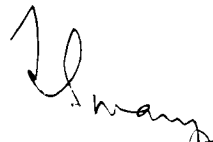


be written off. Out of the dues of Rs.3767.40, as informed by Respondent, Rs.3735/- (Rs.2100 + Rs.1635) paid by Appellant be adjusted, and the remaining amount be recovered from the Appellant.

A new regular connection be sanctioned for the Appellant on completion of commercial formalities, and the compliance report be sent within a period of 15 days.

The CGRF order is modified to the extent above.

28th January 2008


(SUMAN SWARUP)
OMBUDSMAN