

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/2007/240

Appeal against Order dated 14.12.2007 passed by CGRF–NDPL in CG.No. 01514/10/07/KPM.

In the matter of:

Shri Sarvjit Singh Nalwa - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri Sarvjit Singh Nalwa, Appellant attended in person

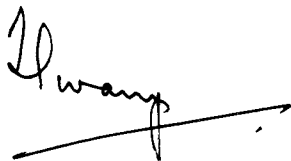
Respondent Shri M.S. Samy Commercial Manager, Distt. Keshav Puram
Shri B.N. Prasanna, Manager, HRB
Shri Samuel Christy, Client Manager, HRB, and
Shri Vivek AM (Legal) attended on behalf of NDPL

Date of Hearing : 19.02.2008

Date of Order : 22.02.2008

ORDER NO. OMBUDSMAN/2008/240

1. The Appellant Shri Sarvjit Singh Nalwa, has filed this appeal against the order of the CGRF-NDPL dated 14.12.2007, in case no. 01514/10/07/KPM, as he could not get the desired relief.
2. The background of the case is as under:
 - i) The Appellant in his appeal has objected to the demand of Rs.30,820/- raised by the Respondent NDPL in the bill for September 2007, as arrears for the period 12.05.2005 to 20.05.2005 (8 days).



- ii) The Appellant states that the demand raised after a lapse of 2½ years, is without justification since all the bills raised by the Respondent were paid regularly
- iii) The Appellant has further stated that the bill raised earlier on 09.06.2005 was for Rs.6,530/- and was based on a wrong reading as it showed an absurd consumption of 7246 units for a period of eight days i.e. from 12.05.2005 to 20.05.2005. The earlier average for the six month period from 25.11.2004 to 12.05.2005 was 280 units per day, and the average for these eight days was 905 units per day.
- iv) During the hearing before the CGRF on 19.11.2007, the Respondent stated that a credit of Rs.30,819.81/- was wrongly given in the June 2005 bill and the same has now been claimed in the September 2007 bill. The Respondent stated that this was an escaped demand raised later, and is payable by the Appellant.
- v) The Appellant has stated that under provisions of the Electricity Act, Section 56(2) such a demand is time barred under the law. The CGRF in its order held that raising of the demand for Rs.30,820/- wrongly credited earlier is in order as this was an accounting error.

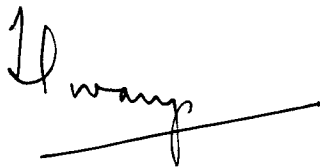
Not satisfied with the order of the CGRF, the Appellant has filed this appeal.

3. After scrutiny of the appeal, the records of the CGRF and the reply/comments submitted by the parties, the case was fixed for hearing on 19.02.2008.

On 19.02.2008, the Appellant was present in person. The Respondent was present through Shri M. S. Samy Commercial Manager, District Keshavpuram, Shri B. N. Prasanna Manager HRB, Shri Samuel Christy Client Manager HRB and Shri Vivek A.M. (Legal),

4. Both the parties were heard. Regarding the high consumption indicated in the eight days bill for the period 12.05.2005 to 20.05.2005, the Respondent produced a Statement of Account for the K. No. and informed that the reading of 158637 units as on 12.05.2005 was a wrong reading, as a reading of 161958 was recorded on 02.05.2005 at the time of re-programming of the meter. The re-programming report dated 02.05.2005 was taken on record. The Statement of Account revealed that prior to 12.05.2005 a bill was raised at the reading of 152585 as on 31.03.2005. By ignoring the wrong reading of 12.05.2005, the consumption for a period of about 50 days w.e.f. 31.03.2005 (R-152585) to 20.05.2005 (R-165883) comes to 13298 units and works out to an average of 266 units per day.

The Appellant was satisfied with this consumption pattern but stated that he felt harassed as he was not explained the actual position and a wrong bill was




issued on 12.05.2005 wherein a wrong credit was given, and this is now being claimed two and a half years later, causing unnecessary harassment to him.

5. After hearing the arguments of both the parties, it is clear that the Appellant is being asked to pay only for the energy actually consumed by him. He also produced the original bill issued to him for the eight day period i.e 12.05.2005 to 20.05.2005, reflecting a credit of Rs.30,819.81. Scrutiny of the bill and the Statement of Account for the K. No. clearly reflects that an accounting error had been committed inadvertently. **While the Appellant is liable to pay for the energy consumed, no LPSC should be charged on this account, from the Appellant. A compensation of Rs.2000/- is allowed to the Appellant for inconvenience and harassment caused due to the accounting errors.**

It is also directed that responsibility be fixed on the official responsible for the accounting error resulting in the wrong credit given in the June 2005 bill, and the compensation amount awarded, be recovered from his salary.

The CGRF order is modified to the extent above.

22nd February 2008


(SUMAN SWARUP)
OMBUDSNAN