

(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 against Order dated 10.03.2008 passed by CGRF–NDPL in CG.No.01616/02/08/SMB (K.No.45300141757).

Shri Harpal Singh - Appellant

M/s North Delhi Power Ltd. - Respondent

Appellant Shri Harpal Singh attended alongwith his son
Shri Sunil Rathore

Respondent Shri Chiranji Taneja, HOG (R&C) District Shalimar Bagh, Shri Pramod Kumar, S.O., District Shalimar Bagh and Shri Vivek, Assistant Manager (Legal) attended on behalf of NDPL

Dates of Hearing : 15.05.2008, 26.09.2008

Date of Order : 06.10.2008

ORDER NO. OMBUDSMAN/2008/259

1. The Appellant has filed this appeal against the orders of CGRF-NDPL dated 10.03.2008 in the case CG No. 1616/02/08/SMB stating that orders were passed by the CGRF only for replacement of his meter and no relief was given in respect of the complaint regarding the defective meter which has shown very

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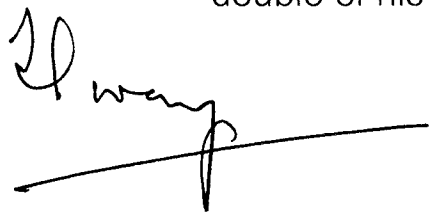
high consumption, and on some occasions very low consumption. The Appellant has been paying electricity bills as per the higher slabs. The Appellant has prayed for treating the period w.e.f. 21.03.2003 till date, as meter defective period and for raising of a fresh demand as per the DERC Regulations / Supply code 2007.

2. The background of the case as per submissions made in the appeal, the CGRF's orders, and the replies submitted by both the parties is as under:

(i) The Appellant is a r/o Village & Post Office Haiderpur, Delhi and has stated in his appeal that:

(a) He has an electricity connection bearing K.No.45300141757N having meter no. 2016773. His meter installed in January 2003, recorded a consumption of 5392 units for 20 months (from 21.01.2003 to 27.09.2004) i.e. an average of 270 units per month. During this period the NDPL had sent to him ten provisional electricity bills on average consumption basis.

(b) The said meter recorded a consumption of 1206 units during the two months from 27.09.2004 to 24.11.2004 i.e. an average of 600 units per month, which is just double of his earlier consumption.

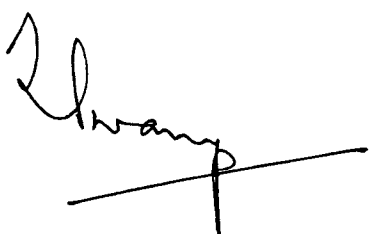


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- (c) During the period 24.11.2004 to 23.03.2005 the said meter recorded a consumption of 4267 units i.e. an average of 1070 units per month.
- (d) The same meter recorded a consumption of 1428 units during the period of 10 months period 23.03.2005 to 03.02.2006, i.e. an average of 140 units per month.
- (e) The Appellant filed a complaint before the CGRF against the erratic consumption and against raising of electricity bills on a higher slab, for the period of high consumption.
- (f) The said meter was checked on instruction of the Forum on 12.02.2008 by the NDPL inspecting agency, and the meter was declared defective and replacement was recommended.
- (g) The CGRF in its order only directed for replacement of the meter and no other relief was granted against the defective meter.

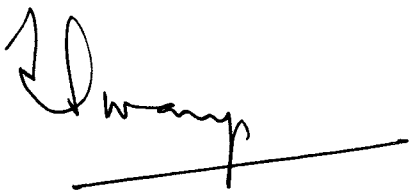
Not satisfied with the orders of the Forum, the Appellant has filed this appeal.

3. After scrutiny of the contents of the appeal, the CGRF's order and the replies submitted by both the parties, the case was fixed for hearing on 15.05.2008.



On 15.05.2008, the Appellant was present in person alongwith his son Shri Sunil Rathore. The Respondent was present through Shri Vivek, Assistant Manager (Legal).

Both parties were heard. The Appellant reiterated the submissions already made in his appeal. The Respondent produced a copy of the meter test report dated 12.02.2008 indicating that the meter was tested at 2 kw external load and was found to be 1.32% fast. As per the meter test report, the meter ELT indicator was found switched on at external load. The meter testing officials recorded that the meter was defective and needed to be replaced. The phase current and neutral current were recorded as 0.9 amperes each. The NDPL officials could not explain as to how only 0.9 amperes were recorded against the test load of 2 kw and why the ELT indicator was found switched on? The meter test report could not be relied upon as for the test load of 2 kw, only 0.9 amperes were recorded. The Respondent was directed to have the meter retested through the ERTL, the independent agency notified by the DERC, after following the procedure laid down. The Respondent was directed to produce the consumption and payment record of the consumer from January 2002 to January 2003. The case was fixed for further hearing on 29.05.2008 and the meter test report was to be submitted by Respondent 3 days earlier.



The Respondent could get the meter tested only on 22.08.2008 and submitted the meter test report dated 01.09.2008 on 08.09.2008.

The case was fixed for further hearing on 26.09.2008.

4. On 26.09.2008, the Appellant was present in person. The Respondent was present through Shri Vivek, AM (Legal), Shri Chiranji Taneja, HOG (R&C), District Shalimar Bagh and Shri Pramod Kumar, S.O., District Shalimar Bagh. The copy of the meter test report of ERTL produced by the Respondent was taken on record. The meter test report of ERTL indicates that:

- (a) Terminal block of neutral input side made of black engineering plastic is burnt.
- (b) One of the terminal screws of neutral terminal is also damaged.
- (c) The current sensing element connected between (input mains) line terminal and (output load) line terminal is not functioning. However the neutral current sensing element connected between (Input mains) neutral terminal and (output load) neutral terminal is functioning. Hence, testing has been carried out using neutral current sensing element. The accuracy was found within limits. The meter test reports of ERTL and that of the DISCOM both indicate that the meter installed in 2003 had a defect as only one of the two sensing

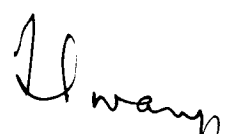


elements was functioning. As per the Respondent, the defective meter was replaced on 28.05.2008 and the consumption of the new meter up to 10.09.2008 was 2324 units.

5. It was observed from the statement of account produced by the Respondent that the consumer got his load enhanced from 0.5 kw to 4.00 kw on 24.03.2003. It is therefore directed that the period from 24.03.2003 to 27.05.2008 be treated as the meter defective period. This period be assessed on the basis of one year's average consumption of the new meter installed on 28.05.2008. The amount already paid by the Appellant during the meter defective period be adjusted against the assessed amount, and excess payment, if any, be refunded by cheque by 15.06.2009. The Appellant will continue to make payment of the current bills based on the consumption recorded by the new meter.

The CGRF's order is accordingly set aside.

6th October 2008.


(SUMAN SWARUP)
OMBUDSMAN