

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/2008/265

Appeal against Order dated 26.04.2007 passed by CGRF–NDPL in
CG.No. 1094/02/07/BDL.

In the matter of:

Shri Kul Bhushan

- Appellant

Versus

M/s North Delhi Power Ltd.

- Respondent

Present:-

Appellant Shri Kul Bhushan, Appellant attended in person

Respondent Shri Sachin Kaul, HOG (R&C),
Shri Arun Sharma, Commercial Manager, Distt. Badli and
Shri Vivek, Assistant Manager (Legal) attended on behalf
of NDPL

Dates of Hearing : 17.06.2008

Date of Order : 27.06.2008

ORDER NO. OMBUDSMAN/2008/265

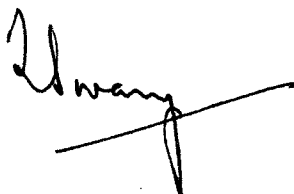
1. The Appellant, Shri Kul Bhushan, has filed this appeal against the orders of the CGRF-NDPL dated 26th April, 2007 in case CG No. 1094/02/07/BDL with the plea that as per the CGRF's order, his bill was to be revised by 15th May, 2007, but the NDPL has not revised



the bill till date, nor the excess payment made, has been refunded to him. He has prayed for compensation for unnecessary harassment caused to him.

2. The background of the case as per records submitted by both the parties is as under :

- i) The Appellant's meter was replaced on 5th December, 2005 and was showing very high consumption. The meter also got burnt on 14th April, 2006. This meter recorded 3661 units in February, 2006 (for two months) and 3571 in April, 2006.
- ii) The inflated bills were not paid by the Appellant. This meter got burnt on 14th April, 2006, but was not replaced by the Respondent till 14th December, 2006. The Appellant was made to pay Rs. 30,000/- on 12th September 2006 for the inflated bills before the burnt meter was replaced on 14th December, 2006.
- iii) The CGRF in its order observed that the consumption of 7233 units recorded by this meter for a period of four months i.e. from 6th December 2005 to 8th April, 2006 is very much on the higher side, as compared to the consumption recorded prior to

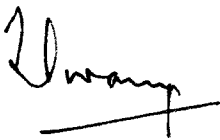


6th December 2005, and after 14th December, 2006 i.e. the date the burnt meter was replaced.

- iv) The CGRF directed that the Appellant be billed on the basis of the average consumption recorded during the period 4th April 2005 to 5th October 2005 and 14th December, 2006 to 17th April 2007, and the bill be revised latest by 15th May, 2007 without any LPSC.
- v) The Respondent did not issue the revise bill and the excess payment made was also not refunded, the Appellant has therefore filed this appeal.

3. After scrutiny of the contents of the appeal, the CGRF's order and the submissions made by both the parties, the case was fixed for hearing on 17th June, 2008.

On 17th June, 2008, the Appellant Shri Kul Bhushan was present in person. On behalf of the Respondent, Shri Vivek, Assistant Manager (Legal), Shri Arun Sharma, Commercial Manager District Badli and Shri Sachin Kaul, HOG (R&C) were present.



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The Appellant stated that the new meter installed on 5th December, 2005 was showing very high consumption and he also reported the burning of this meter on 14th April, 2006. From the statement of account and the consumption record filed by the Respondent, it was also observed that the meter which got burnt on 14th April, 2006 was replaced only in December 2006 i.e. almost 8 months after of the burning of the meter was reported. It is also evident from the statement giving the consumption record that the old meter which was replaced on 5th December 2005 had also recorded inconsistent consumption during 2004-05 and had recorded abnormally high consumption of 5346 units between 5th October 2005 to 5th December 2005 and was found to be faulty. The new meter installed on 5th December, 2005 also recorded a high consumption of 3661 units from 6th December to 6th February, and 3571 units from 6th December to 6th April. The NDPL did not attend to the complaints of the Appellant of inflated bills and this meter got burnt on 14th April 2006, and was not replaced within three days as per DERC Regulations. The Appellant was compelled to make a payment of Rs. 30,000/- on 12th September, 2006 and even after

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receipt of this payment, the NDPL replaced the meter after three months, i.e. on 14th December, 2006.

4. The CGRF in its order has directed that the inflated readings be ignored and the bill be revised by 15th May 2007. The NDPL did not take action as per the CGRF's order and the Appellant has therefore filed this appeal against the non-compliance of the CGRF's order. The Appellant stated during hearing, that on account of non-restoration of his electricity supply for eight months, he was forced to leave his house and a care taker was deputed to look after the vacant premises.

5. After hearing the submissions made by both the parties, it is decided that:-

a) **For the period 5th October 2005 to 14th April 2006, the consumer be charged only on load basis since the meter readings do not seem to be reliable and show an erratic trend.**

b) **A compensation of Rs.50/- per day be given to the Appellant for acute harassment suffered by him, during the period 14th April 2006 to 14th December 2006, both days**

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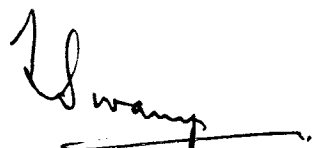
inclusive, on account of non-availability of electricity supply to him.

- c) The amount of Rs.30,000/- deposited by the consumer, for restoration of supply, be refunded by cheque along with compensation amount, after deducting consumption charges calculated on load basis. The Respondent was directed to send the statement of the amount to be refunded by 20th June 2008.

6. As per the details submitted by HOG (R&C) Badli, on 25.06.2008, the refundable amount comes to Rs.39,600/- after adjusting the payments made, after revision of the bill up to 27th June 2007, and also after including the compensation awarded for harassment. This amount should be refunded to the Appellant through cheque by 30th June 2008 and the compliance report sent to this office.

The CGRF order is modified to the extent above.

27th June 2008


(SUMAN SWARUP)
OMBUDSMAN