

(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 15.11.2007 passed by CGRF-NDPL in CG.No. 1439/09/07/RHN.

In the matter of:

Shri C.P. Sharma - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri C.P. Sharma was present in person

Respondent Shri Rajeev Khariyal, AGM
Shri Sai Ram Patro, HOG (R&C)
Shri Sunil Dutt, Section Officer,
Shri Ashutosh Kumar, Senior Executive and
Shri Vivek, Assistant Manager (Legal) attended on behalf
of the NDPL

Dates of Hearing : 20.01.2009, 29.01.2009

Date of Order : 10.02.2009

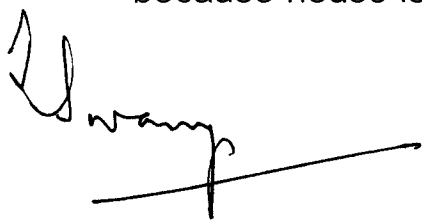
ORDER NO. OMBUDSMAN/2008/296

1. The Appellant Shri C.P. Sharma has filed this appeal against the orders dated 15.11.2007 of CGRF-NDPL in the case CG No. 1439/09/07/RHN.

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2. The Appellant in his appeal has stated that he has not been given any proof of installation of a meter nor was this installed in his presence. No connection has been installed till today and no electricity connection existed at the site.
3. The background of the case as per the records & averments of the parties is as under:
 - i) The Appellant vide letter dated 06.09.2007 filed a complaint before the CGRF stating that the matter be investigated as the NDPL is sending bills without installation of any connection at his premises C-16, Rose Co-op. Group Housing Society, Sector 14, Rohini, Delhi-85.
 - ii) The Respondent stated before the CGRF that the Appellant had applied for a new connection enclosing the possession letter dated 27.08.1995 of the flat, and had deposited Rs.820/- on 04.10.1999 as application fee. The meter no. 256769 was installed on 05.03.2001. The meter recorded some consumption, though it was low. The old meter was replaced on 08.12.2004 and, MF (meter faulty) remarks are recorded on the Meter Change Report.
 - iii) The meter change report bears the remarks "meter stopped because house is PPL". The supply is lying disconnected as



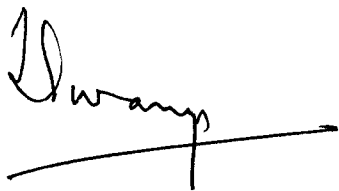
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the meter was removed on 13.06.2006 with dues of Rs.11,270/-.

- iv) The Appellant stated before the CGRF that the meter was not installed in his presence and while making the application and depositing the application fee, he had informed that the premises was not in use.
- v) After hearing the submissions of both the Appellant & the Respondent, the CGRF held that the connection was installed and energized, though the supply remained almost unused. The Respondent raised regular bills on minimum / fixed charges, meter rent basis. The dues accumulated to the tune of Rs.11,270/- which includes an LPSC amount of Rs.4,219/-. The CGRF limited the liability of the consumer to Rs.7,051/-(Rs.11,270/- minus Rs.4,219/-). The Appellant has made the payment of Rs.7,051/-

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

- 4. 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 20.01.2009.



On 20.01.2009, the Appellant was present in person. The Respondent was present through Shri Sunil Dutt, Section Officer, Shri Ashutosh Kumar, Senior Executive, Shri Sai Ram Patro, HOG (R&C) and Shri Vivek, Assistant Manager (Legal).

Both parties were heard at length. The Appellant stated that the meter was never installed and the premises was not in use, therefore no charges are payable.

The Respondent stated that the meter no. 256769 was installed on 05.03.2001 and energized. The meter installation report produced by the Appellant indicated that meter no. 256769 was installed on 05.03.2001 at the initial reading of '13'. The meter book record produced by the Respondent indicates that though the meter's initial reading on 05.03.2001 was '13', thereafter, regular readings were recorded such as 80, 110, 130, 120, 124 and 126 etc. The meter was replaced by an electronic meter on 08.12.2004 although the meter change report indicates that the meter stopped and the premises were locked. The new meter installed on 08.12.2004 indicated the reading '1' till the supply was disconnected on 13.06.2006 for non-payment of dues and the meter was removed.

The Respondent was directed to produce dockets of stores of issue of the two meters, protocol sheets, notices for disconnection if any. Photographs be produced after a site visit, to establish

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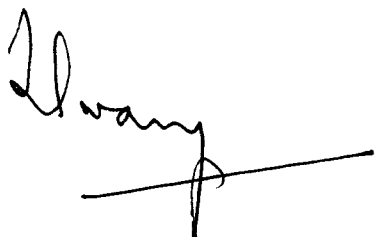
installation of meter, and if possible statements of neighbours regarding installation / removal of meter. The official who removed the meter on 13.06.2006 was also asked to be produced on the next date of hearing, on 30.01.2009.

5. The hearing was pre-poned to 29.01.2009 and a notice was sent to both the parties.

On 29.01.2009, the Appellant was not present. The Respondent was present through Shri Rajeev Khariyal AGM, Shri Vivek A.M. (Legal) and Shri Sunil Dutt S.O. The Respondent produced the original register containing records of various meters removed, including that of the Appellant, (copy retained), photographs of the site to establish that a meter was installed earlier, and the original statement of the agency dated 18.06.2006, showing the records of various meters removed. These records indicate that the Appellant's meter was removed on 13.06.2006. The Respondent also produced copy of a docket no. confirming issue of the meter from the stores.

In the afternoon of 29.01.2009 the notice sent to the Appellant Shri C. P. Sharma for pre-poning the hearing to 29.01.2009 was returned undelivered. The Appellant however attended on 30.01.2009.

6. The various records produced by the Respondent indicate that meter no. 256769 was installed on 05.03.2001 at the initial



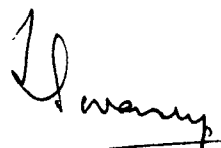
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reading of R-13 and energized. This meter was replaced with another meter no. 104459147 on 08.12.2004 which was disconnected / removed on 13.06.2006.

The Appellant's contention that the meter was never installed is not borne out by records produced by the Respondent. Records also indicate that the premises was visited several times by NDPL staff but was found locked.

I am therefore of the view that there are no grounds to interfere with the orders of the CGRF-NDPL dated 15.11.2007

10¹⁵ February 2009.


(SUMAN SWARUP)
OMBUDSMAN