

**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/2009/329**

Appeal against Order dated 29.05.2009 passed by CGRF–NDPL in CG.No. 2113/04/09/MDT.

**In the matter of:**

Shri Sanjay Gupta - Appellant

**Versus**

M/s North Delhi Power Ltd. - Respondent

**Present:-**

**Appellant** Shri O.P. Madan, Advocate and  
Shri V.K. Goel, Advocate attended on behalf of the  
Appellant

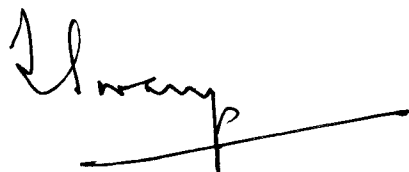
**Respondent** Shri S.K. Das, DGM,  
Shri Ajay Kalsi, AGM,  
Shri Praveen Chawla, Asstt. HRB and  
Shri Vivek, Manager (Legal) attended on behalf of the  
NDPL

**Dates of Hearing** : 20.08.2009, 30.09.2009

**Date of Order** : 13.10.2009

**ORDER NO. OMBUDSMAN/2009/329**

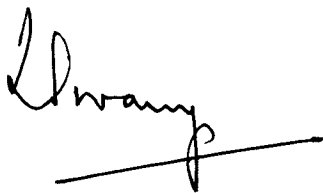
1.0 The Appellant Sh. Sanjay Gupta has filed this appeal against the order of the CGRF dated 29.05.2009 in case CG No. 2113/04/09/MDT with the prayer that CGRF's order may be set



aside and the Respondent may be directed to correct the bills based on the actual consumption recorded on Kwh basis, wherever the recorded power factor is below 0.85. It is further prayed that the LPSC may be completely withdrawn, and suitable compensation be granted for harassment.

1.1 The background of the case as per the contents of the appeal, the CGRF's orders and the submissions made by the parties is as under:

- i) The Appellant is the registered consumer of electric connection K. No. 31100138888, installed at his premises for industrial purpose. The Appellant filed a complaint before the CGRF stating that the Respondent is raising erratic bills and despite complaints made from June 2008 onwards, the matter was not resolved.
- ii) The Respondent stated before the CGRF that the electricity bills against the connections have been revised as per the actual Kvah recorded between 20.02.2008 to 20.06.2008, and the revision of the bills for different periods had finally resulted in a credit of Rs.13,540/-.
- iii) The Appellant stated before the CGRF that there are still some discrepancies in the revision carried out by the Respondent, and the meter installed in December 2008 is not functioning correctly, as erratic multiplying factor is being reflected.
- iv) The CGRF in its order decided that:



- At the final reading of 79138 Kvah recorded in the meter, removed on 12.03.2008, the last correct reading recorded was 77003 Kvah as on 20.02.2008. Therefore, for this period 2135 Kvah units be charged for.
- The new meter was installed on 10.04.2008 at the reading of 63 Kvah and the corresponding reading recorded on 20.06.2008 was 6955 Kvah. For this period 6892 Kvah units be charged.
- The consumption for the period 12.03.2008 to 10.04.2008 be assessed on the basis of the average consumption recorded during the period 23.03.2007 to 12.03.2008, as the meter being defective was replaced within a period of less than a month. It was stated to be faulty, though no cause for replacement of the meter was recorded in the protocol sheet dated 10.04.2008.
- The CGRF however directed that the working of the meter be checked thoroughly to the satisfaction of the consumer.

2.0 Not satisfied with the above orders of the CGRF, the Appellant has filed this appeal stating that:-

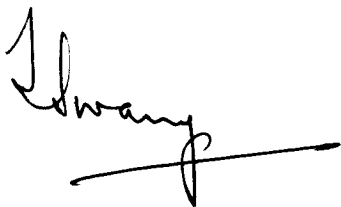
- i) In the April 2006 and January 2007 bill, the power factor is shown as 'zero'.
- ii) The April 2008 bill is raised for 867 units whereas the consumption is only 789 units.

- iii) In the May 2008 bill, the multiplying factor is shown as 20/12, which is wrong.
- iv) In the 31.05.2008 and 24.06.2008 bills, the Kvah billings are shown as less than the Kwh billings and
- v) In the November 2008 and January 2009 bills, incorrect power factor is shown i.e. 0.28 and 'zero' respectively.

2.1 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 20.08.2009.

On 20.08.2009, the Appellant was present through Sh. O.P. Madan, Advocate. The Respondent was present through Sh. S. K. Das, DGM, Sh. Ajay Kalsi, AGM, Sh. Praveen Chawla, Asst. HRB and Sh. Vivek, Manager (Legal).

Both the parties were heard. The Appellant stated that the period for which bills are disputed is May 2008 to May 2009. From the copy of the bills it was observed that in some of the bills, the billing has been done by calculating the Kvah units which are shown to be more than the actual kvah units recorded in the meter. In the November 2008 to January 2009 bills the power factor is found to be extremely low i.e. 0.27 to 0.28. The Respondent stated that they would like to rectify the bills for this period as some billing problems are there due to the software, and such problems have been noticed whenever the meter is changed.

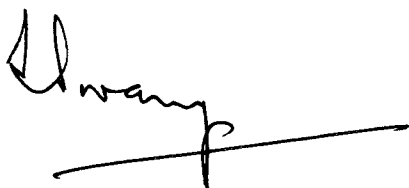


The Respondent was directed to correct the amount due, and to produce the statement showing the revised demand and the amount already charged, at the next date of hearing. A copy of the statement of account was to be given to the Appellant also before the next date of hearing i.e 27.08.2009.

- 2.2 On the request of the Respondent as well as the Appellant, the case was re-scheduled for hearing on 30.09.2009.

On 30.09.2009, the Appellant was present through Sh. V.K. Goel, Advocate. The Respondent was present through Sh. Vivek, Manager, Legal, Sh. S.K. Das, DGM, Sh. Praveen Chawla, Asst. HRB.

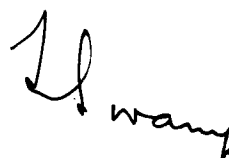
Both the parties stated that they have gone through the revised statement of account prepared for the disputed period and agreed that the bills for the period 17.11.2008 to 18.08.2009 for meter no. 91100425 need to be revised. The Appellant accepted the terms of the settlement as per the revised bills for the disputed period, and stated that his grievance would stand resolved once the terms of the settlement are implemented. The memorandum of settlement signed by both the parties, along with the calculation sheet is taken on record.

A handwritten signature in black ink, appearing to be 'Sh. V.K. Goel', with a long horizontal stroke extending to the right.

3.0 As per calculation sheet produced by the Respondent, the Appellant was earlier billed for an amount of Rs.2,18,406/- for the period 17.11.2008 to 18.08.2009. The demand has now been calculated on the basis of kvah units worked out by dividing the kwh units by the power factor of 0.87. The revised demand comes to Rs.1,26,574/-, reflecting a credit of Rs.91,832 in favour of the Appellant.

**The appeal is disposed off in terms of the settlement arrived at and the CGRF's order is modified to the extent as given above.**

13th October 2009

  
(SUMAN SWARUP)  
OMBUDSMAN