

Original

43
91

OFFICE OF THE ELECTRICITY OMBUDSMAN
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)
B-53, Paschimi Marg, Vasant Vihar, New Delhi – 100 057
(Phone No.: 39506011 Fax No.26141205)

Ref: E.OBM/A/05/34

Dated: 18th November, 2005

Appeal No. F. ELECT/Ombudsman/2005-06/34

Appeal against Order dated 1.11.2004 passed by CGRF – NDPL on CG No.:0006/08/04/KPM.

In the matter of: Mrs. Bimla Garg - Appellant

Versus

 M/s NDPL - Respondent

Present:-

Appellant Dr. Praveen Garg son of Mrs. Bimla Garg

Respondent Shri R.P.Bhutani, OSD (Legal) and Shri Suraj Das Guru,
 Legal Advisor of NDPL

Date of Hearing : 21.10.2005 & 24.10.2005
Date of Order : 18.11.2005

ORDER NO. OMBUDSMAN/2005/34

The appellant is a consumer in respect of electricity connection bearing K. No: 32200130738 installed at Shop No. 12, Nimri Colony, LSC Delhi. It is stated in the appeal that the appellant received inflated bills with LPSC, though the premises was locked mostly. The appellant approached the Discom more than ten times for correction in the bills which were never corrected.

42
90

The appellant made a complaint before the CGRF-NDPL which passed an order dated 6.10.2004 ordering “ (i) the assessment for the defective period i.e. 6.12.2001 to 19.6.2003 be worked out on the consumption during the base period from June 2000 to December 2000 (ii) as regards LPSC, all the demands raised were justified and consumer is liable to pay LPSC charges on the amount which became payable from February 2004 onwards.

It is against this order that the appellant has filed an appeal before the Electricity Ombudsman.

After examining the contents of the appeal and records received from the CGRF-NDPL, the case was fixed for hearing on 5.10.2005 for which a notice was issued, but, the appellant could not appear on the hearing date. The appellant informed that the address given on the electricity bill was for a shop which was closed now, thus she did not receive the same. She requested to postpone the hearing by a week as they are going out of station. Thus, the hearing was fixed on 21.10.2005.

Dr. Praveen Garg son of Mrs. Bimla Garg attended the hearing on behalf of the appellant. Shri R.P.Bhutani, OSD (Legal) and Shri Suraj Das Guru, Legal Advisor of NDPL attended the hearing on 21.10.2005.

The representative of NDPL was not equipped with the relevant information nor any accounts official (billing) was present to provide clarifications. The appellant informed that he did not receive this office letter dated 27.9.2005, seeking some clarifications. Copy of the letter dated 27.9.2005 was provided to the appellant. Shri R.P.Bhutani, OSD (Legal), NDPL informed that he will submit the required reply before leaving this office. Appellant and respondent were asked to reappear on 24.10.2005 at 11.30 hours with the relevant details.

The case was re-heard on 24.10.2005. The appellant informed that the premises mostly remained locked and electricity was sparingly used. The respondent informed that meter was totally stopped so further testing was not done. Meter Book records of the connection showed “shutter locked” repeatedly recorded each time by the meter reader upto April 2003. The existing meter was replaced on 19.6.2003; since then meter has recorded about 1500 units during the period of two years.

Keeping in view the facts that shutter was mostly locked, electricity was sparingly used, the respondent has not tested the existing meter while replacing it with a new meter, it is ordered that ;

- i) Assessment be done for a period of six months period prior to 19.6.2003, when meter was replaced, by taking average six months consumption of the new meter and six months consumption of old meter prior to December 2000 when meter was found recording the consumption.

- 97 47 89
- ii) For the remaining period under dispute, bills be raised on the basis of MG only.
 - iii) Respondent will submit the detailed calculations of assessment and bill raised on actual reading basis of the new meter by 28.10.2005.

In response to above, NDPL submitted detailed calculation on 29.10.05 which were 'not clear' because final up-to-date dues were not worked out. NDPL again submitted the details on 9.11.05 which were more confusing.

Shri Suraj Das Guru, the representative of NDPL was asked to workout amount payable as per MG + assessment upto 19.6.2003 separately and amount payable as per actual reading w.e.f. 19.6.2003 till date, giving credits of payments made. On 11.11.05 calculations submitted by NDPL contained arrear of Rs.1386.59 as on 6.12.01 whereas consumer had submitted copy of paid revised bill in February 2002 showing no arrears. Shri Suraj Das Guru submitted revised statement on 17.11.2005 which was further revised on 18.11.2005 indicating total payment due from the consumer of Rs.1921/-. NDPL is directed to issue the revised bill as indicated above to the consumer with a copy to this office.

The order of the CGRF-NDPL is set aside.

37511 2221
(Asha Mehra)
Ombudsman