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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/05/36

Dated: 28th September, 2005

Appeal No. F. ELECT/Ombudsman/2005-06/36

Appeal against Order dated 18.2.2005 passed by CGRF – NDPL on CG No.: 0190/01/05/PPR.

In the matter of: Dr. M.K.Singhal - Appellant

Versus

M/s NDPL - Respondent

Present:-

Appellant Dr. M.K.Singhal

Respondent Shri Suraj Das Guru, Legal Advisor,
Shri Banmati Pradhan, HOG (R&C) of NDPL

Date of Hearing : 28.09.2005

Date of Order : 28.09.2005

ORDER NO. OMBUDSMAN/2005/36

The appellant is the resident of B-2/3, Jeevan Jyoti Apartment, Pitampura and holds a domestic connection bearing k No: 34300120466. His meter was changed in the month of March 2004 and the bill for the month of April for Rs.470/- was duly paid by him. In the month of May 2004, he received bill of Rs.1.5 lakhs. This reading was wrong as the meter read only 664.

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The appellant lodged a complaint in the office of Manager Pitampura Zone on 7.6.2004 vide complaint no: 12353, But there was no correction despite several visits by the appellant to the office of the respondent company. Not only was the big false bill sent to the complainant, but, a disconnection notice was issued to him on 5.8.2004. The appellant again made a fresh complaint on the same date bearing No: 37518. The very next day he again visited the respondent company and he was made to deposit an amount of Rs.10000/-. As if this was not enough, on 8.9.2004 the employees of the respondent company reached the appellant's house again and threatened to disconnect his electricity. The appellant was able to persuade them not to disconnect it as his case was pending in their office.

In November 2004 a new bill was received by him and he was forced to deposit another amount of Rs.2000/- under threat of disconnection.

The appellant filed a complaint in CGRF-NDPL. The Forum passed an order dated 18.2.2005.

During the course of the hearing the respondent company informed that after perusal of records corrections were made which resulted in a credit of Rs.2913.43. The appellant was however not satisfied with the credit given and asked for detailed calculations leading to this credit. He also asked for the refund of excess amount already deposited by him. The CGRF-NDPL passed the order on 18.2.2005 asking the respondent company to submit the detailed calculations to the consumer by 1.3.2005.

It is against this order that the appellant has filed the appeal before the Ombudsman. He has also asked for compensation for harassment at the hands of the respondent company.

The facts of the case are already narrated in the earlier paragraphs and therefore not stated here. The complainant has repeated that he was made to pay lump-sum amount far higher than his average monthly electricity bill for no fault of his. There were no pending arrears and no other reason for which he could have been threatened with disconnection of electricity supply. Yet he faced this threat for almost a year. He made several complaints and several visits to the office of the respondent company even though it was very difficult for him to leave his office for this purpose. He has prayed for ;

- 1) Correction of bill immediately
- 2) Repayment of excess deposit charged with penal interest
- 3) Payment of Rs.10000.00 as compensation for harassment, mental trauma and loss of wages
- 4) Payment of legal cost

After calling for records from CGRF-NDPL and examination of the contents of the appeal a letter was written to CEO-NDPL asking for further information. In this letter detailed calculations of revised bill as per CGRF order dated 18.2.2005 were also called for. **Reasons for issuing wrong bill after change of meter were**

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asked and it was enquired whether any investigation was made in this regard, if so, detail of such investigation and its results to be intimated.

Vide letter dated 19.9.2005, additional submissions filed on behalf of the respondent included detailed calculations as asked for. **However, nothing has been mentioned in regard to investigation if any carried out for issuing of wrong reading bill and reasons thereof.**

The case was fixed for hearing on 28.9.2005. Shri Suraj Das Guru alongwith Shri Banmati Pradhan, HOG (Billing) attended the hearing. The appellant attended, in person.

The appellant recalled his woes and trauma suffered at the hands of officials of the NDPL who constantly threatened to disconnect his electricity despite surplus fund paid by him. The fault if any was on account of the mistakes of the respondent company and not of the appellant.

The detailed calculations submitted were scrutinized and it was found that additional credit of Rs.2135/- is due to the appellant. Therefore, now total credit of Rs.5048/- {Rs.2913/- (as per CGRF order) + Rs.2135/- (additional credit as per revised calculation)} is due to the appellant. This is agreed to by the representative of the respondent company.

In this case on account of the deficiency/negligence on the part of the respondent, the appellant suffered a lot of harassment and trauma as he was threatened with disconnection of supply and forced to pay hefty sums. After revising the bills from March'04 to December'04 still credit of Rs.5048/- has been shown in NDPL's statement. Such incidents cannot be allowed to continue because the residents are not always at home to handle such situation when the officials of Discom go to disconnect electricity without following proper procedure.

Accordingly, it is ordered;

1. That an amount of Rs.5048/- is payable to the appellant by the respondent company, as mentioned above.
2. Compensation of Rs.2500/- is awarded to him on account of harassment and mental trauma. Also interest charged by the NDPL (18%) will be paid by the respondent company on the lump-sum deposit (which he was made to pay) on reducing balance in the same manner as is charged on arrears.

In view of the above, the order of CGRF-NDPL is set aside.

अशा मेहरा
(Asha Mehra)
Ombudsman