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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/2011/416

Appeal against Order dated 13.01.2011 passed by CGRF–NDPL in CG.No. 3076/10/10/SKN, (K.No.35400389113).

In the matter of:

Shri S.C. Nanda - Appellants

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri H.C. Jain, Advocate was present on behalf of the Appellant

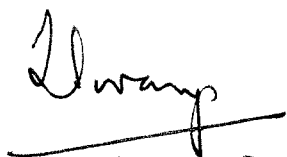
Respondent Shri K.L. Bhayana, Adviser,
Shri Samuel Christy, AM (HRB),
Shri Mriganka Ghosh, Executive (HRB),
Shri Praveen Chawla, Office (HRB) and
Shri Vivek, Manager (Legal) attended on behalf of the NDPL

Date of Hearing : 31.05.2011, 23. 06.2011

Date of Order : 07.07.2011

ORDER NO. OMBUDSMAN/2011/416

1.0 The Appellant, Shri S.C. Nanda, has filed an appeal dated 25.02.2011 against the order dated 13.01.2011 passed by the CGRF-NDPL in CG No. 3076/10/10/SKN regarding the disputed bill for the month of July 2010 for an amount of Rs.1,55,482/- in

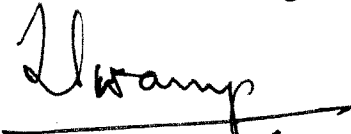

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respect of electricity connection K.No.35400389113-L installed at Plot No.18/30, New Rohtak Road, Delhi.

2.0 The brief facts of the case as per records are as under:-

2.1 The connection is registered in the name of one Shri Jaswant Singh for a load of 23 KW for industrial purposes and the Appellant is the actual user of the connection. The DISCOM raised a bill for Rs.1,55,482/- for the consumption of 27045 units during the period 13.07.2010 to 10.08.2010. The Appellant disputed the bill as it was almost seven times the average consumption recorded in the preceding four months. He approached the CGRF-NDPL against the above exorbitant bill stating that there appears to be a sudden jumping of the meter, as the consumption was not in consonance with his previous consumption pattern.

2.2 The Respondent submitted before the CGRF that the meter was recording the correct readings and the reading 219723 was recorded on 13.07.2010. The recorded consumption during the period 13.07.2010 to 10.08.2010, was 27045 units, with an MDI of 37 KW, which has been disputed by the Appellant. A consumption of '10932' units was recorded thereafter during the period 10.08.2010 to 10.09.2010, and a consumption of 14061 units was recorded during the period 10.09.2010 to 01.11.2010. A special reading was taken on the request of the complainant and it was found that the reading on 28.08.2010, was 252312 (KWh) and 284899


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(KVAh) with an MDI of 37.83 KW, reflecting a consumption of 5544 units in 15 days, whereas the consumption recorded manually was 3012, 3442, 4093 & 4093 units respectively in the months of April, May, June & July respectively, by the meter reader. The meter accuracy was got checked on 08.09.2010 and it was found to be 0.35% fast, which was within the permissible limits of accuracy. The CMRI data was also submitted before the CGRF.

- 2.3 It was inferred by the CGRF-NDPL that the meter reader had recorded lower readings and had shown less consumption in April, May, June & July, which had resulted in accumulation of readings. As per the CMRI data the consumption between 20.02.2010 to 20.08.2010 was 48561 units, where as the consumption recorded by the meter reader for the period, 04.02.2010 to 10.08.2010 was 47595 units, and the total was almost equal. It was concluded by the CGRF-NDPL that this was not a case of 'jumping' of the meter, but a clear case of accumulation of readings by the meter reader which could not have been done without the connivance of the complainant. The LPSC, however was waived off. The Respondent was advised to take strict action against the Meter Reader who recorded lower readings in April, May, June & July manually, which resulted in the accumulation of readings.

- 2.4 The Appellant, not satisfied with the above order of the CGRF-NDPL, has filed this appeal dt.25.02.2011 and has prayed for declaring the order of the CGRF-NDPL dt.13.01.2011 as

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illegal, arbitrary and against the facts of the complaint, and has sought relief by way of declaring the bill for July, 2010 for an amount of Rs.1,55,000/-, as illegal and null and void.

2.5 The comments of the Respondent were called for on the Appellant's appeal. The Respondent reiterated their stand that this was a case of accumulation of readings and the consumption recorded upto the month of July 2010, was almost the same as the readings recorded by the CMRI for the period 20.02.2010 to 20.08.2010. Thus the total consumption recorded by the meter reader manually for the same period was almost equal to the consumption reflected in the CMRI data and as such the amount was payable. Further, the Meter Test results on 08.09.2010 showed that the meter was 0.35% fast, which is within the permissible limits of accuracy.

3.0 The case was fixed for personal hearing on 31.05.2011 and both the parties were heard.

The Appellant Shri S.C. Nanda was represented by H.C. Jain, advocate. The Respondent was represented by Shri K.L. Bhayana, Advisor, Shri Vivek, Manager (Cell), Shri Samuel Christy, AM (HRB), Shri Mriganka Ghosh, Executive (HRB)

The Appellant stated that the bill for July, 2010, was unusually high and did not reflect the correct consumption. The Respondent stated


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that the bill reflected the accumulated consumption from February 2010 to July 2010, and was based on the CMRI data.

The Respondent was asked to explain the following:

- a) The reason for taking manual readings.
- b) The name of the concerned meter reader and as to why he did not report any fault in the modem etc.
- c) The action taken to download readings and the details of the load survey data, and as to why this action was delayed for several months.

The next hearing was fixed on 23.06.2011 and during the intervening period, the Load Survey Data Reports were to be filed by the Respondent.

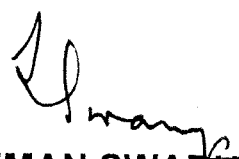
- 4.0 At the hearing on 23.06.2011 both the parties argued their case. The Appellant pleaded that regular bills were raised earlier and were paid. The July 2010, bill which was disputed, was unusually high. A modem was installed at the premises and there was no reason for manual readings to have been taken by the meter reader.
- 5.0 The Respondent stated that manual readings were taken as there was some software problem. It was admitted that the meter reader had erred in this case, and hence correct readings were not taken earlier and accumulated readings were reflected in the downloaded

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readings later in the July 2010 bills. The correct downloaded reading for July, 2010 was the basis for the higher bill.

5.1 The evaluation of the Electronic Data corroborates the fact that this is a case of erroneous readings being taken by the meter reader and bill for the month of July, 2010, was accordingly high due to the accumulation of readings, which were earlier suppressed by the meter reader while taking manual readings. However, the fact remains that the Respondent has erred in this case by sending manual reading bills which were regularly paid by the Appellant. The Respondent did not also take prompt action to download the readings, which would have obviated the unnecessary harassment to the consumer. While there is no need to set aside the order of the CGRF-NDPL, a compensation of Rs.5,000/- is awarded to the Appellant for unnecessary harassment.

The appeal is disposed off accordingly with the directions to comply with the orders within 21 days.


(SUMAN SWARUP)
OMBUDSMAN

09¹⁵ July 2011