

77

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 – 110 057
(Phone No.: 32506011 Fax No.26141205)

Appeal No. F. ELECT/Ombudsman/2006/71

Appeal against Order dated 11.03.2005 passed by CGRF – NDPL on CG No.: 0170/12/04/CVL.

In the matter of: Shri B.S.Rawat - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri B.S.Rawat

Respondent Shri Padam Singh, Section Officer (Accounts) and
Shri Suraj Das Guru, Legal Retainer of NDPL

Date of Hearing : 23.05.2006

Date of Order : 13.06.2006

ORDER NO.: OMBUDSMAN/2006/71

The appellant was provided electricity connection vide K.No. 31200131672 at B-10, Delhi Administration flats, Timar Pur, Delhi. Appellant filed this appeal on 3.3.06 stating that CGRF-NDPL orders dt.11.03.05 have not been implemented so far by the Respondent.

Respondent's legal cell sent a letter dt.5.03.06 to CGRF-NDPL informing that amount has been assessed as per orders of the forum and a credit balance of Rs.8765/- is in the accounts of the consumer.

76

Copy of above reply received from respondent was sent to appellant for his confirmation asking whether he is satisfied.

Appellant informed vide letter dt.22.03.06 that amount of refund calculated is too low and requested for refund as per his calculations along with security amount of Rs.300/-

Copy of appellant's letter dt.22.03.06 was sent to Respondent with the directions to provide information in respect of the following,

- a) Basis on which the appellant's accounts have been finalized.
- b) Date of finalizing the account, and
- c) Amount credited/refunded to the consumer.

Respondent provided the required details vide letter dt.26.04.06 informing that amount of Rs.8765/- has been refunded to the consumer but date of finalizing the account was not mentioned therein.

The case was fixed for hearing on 23.05.06. Appellant Shri B S Rawat attended, in person. S/Shri Suraj Das Guru, Legal Advisor and Padam Singh, Section Officer (Accounts), attended the hearing on behalf of the Respondent.

After examining the submissions made by the appellant, reply received from the Discom and the records of the case called from CGRF-NDPL, the position emerged as under.

Appellant was provided a connection K.No. 312 00 131 672 at B-10, Delhi Admn Flats, Timar Pur on 18.10.99 with a sanctioned load of 1.98 KW. Meter remained stopped since its installation and bills were sent on provisional basis for 240 units per month. These were not paid by the consumer.

Consumer's meter was replaced on 7.11.03. His supply was disconnected on 17.6.04 on account of non-payment of dues. Meter was removed on 25.6.04 at reading of 1324.

Appellant made a number of requests for issuing a final bill but without any success.

Appellant filed a complaint with CGRF on 10.12.04 with the request that from 7.11.03 to 17.6.04 bills be raised on actual consumption and for the past period on the basis of average of new meter. Final bill was raised on 23.12.04 and Appellant made a payment of Rs.35,345/- to get no dues certificate.

CGRF passed an order on 11.3.05 with the instructions (i) to charge the consumer at the average of six units per day for the period 18.10.99 to 6.11.03

71
67

(ii) for the period 7.11.03 to 17.06.04 on the basis of consumption actually recorded by the new meter installed on 7.11.03 and (iii) accounts to be finalized by 31.3.05.

Appellant filed this appeal on 3.03.06 with Ombudsman stating that orders of CGRF have not been complied with so far.

During hearing Appellant informed that the orders of the CGRF were to be implemented by 31.03.05 but same have not been implemented so far as he has not received any refund from the Respondent and also the amount of refund calculated is not correct. Ombudsman asked the Respondent officials why it has been stated in their reply dt.26.04.06 that an amount of Rs.8765/- has been refunded to the consumer and why the date of finalizing the accounts has not been mentioned in their reply? No satisfactory reply was provided. **It may be stated that false information was provided without verification from competent authority. Providing false information is a serious lapse on the part of Discom and this needs to be addressed by the CEO with all seriousness. If repeated, serious consequences will follow.**

During deliberations Respondent officials could not explain why the CGRF order dated 11.03.05 which was to be implemented by 31.03.05 has not been implemented so far.

The calculations submitted by the Respondent were not clear as such Shri Padam Singh (S.O.) was directed to submit the revised demand separately for both the periods, by 25.05.06, after giving credit for the payment of Rs.35345/- made by the consumer, and without levy of LPSC as earlier provisional demand was revised by the orders of the forum. Appellant's request for refund of security of Rs.300/- was also agreed and original payment receipt of Rs.300/- was handed over to Shri Padam Singh for doing the needful.

Respondent has submitted the details of revised demand on 29.05.06 indicating a net credit of Rs.17899.82p including adjustment of security amount of Rs.300/-.

In view of above, it is ordered that the amount of Rs.17899.82p be refunded to the consumer within ten days and confirmation in this regard be sent to this office along with documentary evidence.

अशा मेहरा
(Asha Mehra)
Ombudsman