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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/2006/74

Appeal against Order dated 06.03.2006 passed by CGRF – NDPL on
Complaint No.: C.G.No.0633/01/06/SMB, (K.No.45300147046)

In the matter of:

Shri Bankey Bihari Rastogi

- Appellant

Versus

* North Delhi Power Ltd.

- Respondent

Present:-

Appellant

Shri K.S. Rastogi son of Shri Bankey Bihari Rastogi,
Shri Satya Narayan duly authorized by Appellant

Respondent

Shri Rajeev Gupta, Commercial Manager,
Shri Tabish Zubair, Legal Retainer, Shalimar Bagh and
Shri Suraj Das Guru, Legal representative on behalf of the
NDPL

Date of Hearing : 20.07.2006

Date of Order : 31.07.2006

ORDER NO. OMBUDSMAN/2006/74

The Appellant in his appeal dated 31.3.2006 against NDPL has stated that an electronic meter was installed at his premises on 3.12.2004 and it began to jump from 477 units (April 2005) to 4076 units in the very next bill of June 2005, even though no additional electrical equipments / gadgets were added during this period or earlier. Also no function was held in the premises during this period and therefore, there was no reason for such high consumption during this time. The next bill for august 2005 showed 1052 units.

He further stated that apart from a verbal complaint, he wrote several letters to the Discom for correction of his bill but to no avail. Since no action was taken by the Licensee, the Appellant filed a complaint with the CGRF-NDPL. During the hearing before CGRF the Appellant stressed that excessive

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consumption during the period in dispute is possibly because of jumping of the meter as no leakage was found in the wiring. The CGRF observed that the meter installed at the premises of the appellant is an electronic meter which is immune from the phenomenon of jumping of figures which is possible in electro mechanical type of meters only. The accuracy of the meter has been checked and found within the permissible limits. The consumption recorded by the electronic meter from the date of its installation is also of a uniform pattern. On the basis of above no relief was given by the CGRF. Consequently he filed an appeal against the CGRF order before the Electricity Ombudsman.

On receipt of the appeal, the case records of the appellant were called for from CGRF. The submissions of the Appellant as well as those of the NDPL were scrutinized. The case was fixed for hearing on 20.7.2006.

Shri Rajeev Gupta, Commercial Manager and Shri Tabish Zubair, Legal Retainer, Shalimar Bagh, attended along with Shri Suraj Das Guru, Legal representative of the Respondent Company. Shri K.S. Rastogi son of the appellant attended along with Shri Satya Narayan who is duly authorised by the Appellant. The case was discussed.

The Appellant's meter was replaced on 3.12.04, and his consumption upto April 2005 was undisputed and it was acceptable to the appellant.

The consumption of energy from April to June and June to August, 2005 recorded by the meter had increased and is under dispute.. The consumption recorded for the following four cycles i.e. from 20.8.2005 to 20.4.2006 conforms to the consumption pattern of the appellant for the earlier period. The units billed in the last four cycles are 609 units, 478 units, 340 units and 444 units respectively. The fact that the consumption shown by the same meter is not high in the subsequent cycles and is also correct in the earlier period (since the installation of the meter), **shows that the meter is not faulty and is working satisfactorily.** Had the meter gone wrong the consumption would have increased right from the day the meter was installed or it would have recorded high consumption even after-August 2005. The meter cannot become faulty only for two months and then become O.K. Also the meter has been tested on 8.7.2005, 26.7.2005 and on 15.2.2006. Each time it was found to be within the permissible accuracy limits. **Therefore, there is no reason to believe that the meter is not functioning properly.** The Appellant has also stated that there is no leakage in the wiring. Obviously, the units billed show actual consumption and no fault can be found in this. **Therefore, no relief can be given in this regard to the Appellant.**

It is stated by the Appellant that he made only part payment of the bill against the higher reading for the month of June 2005 under the bona fide belief that he would get some relief from the Appellate Authority for excessive consumption. He therefore, requested that he may be allowed to pay the balance amount in two equal installments. In view of the facts as stated above, the

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Licensee is directed to recover the pending dues in this regard in two equal instalments. No LPSC may be charged on this amount as the Appellant was hopeful of some relief and therefore did not pay the disputed amount for valid reasons.

In response to our enquiry, the NDPL stated that the meter installed at the Appellant's premises did not have Earth Leakage indicator. **He is directed to replace the existing meter by another meter with Earth Leakage Indicator** so that if there is leakage in the wiring etc., the Earth Leakage indicator will glow and the consumer will be in a position to take timely corrective action if required.

During the course of the hearing Shri Rastogi stated that the appellant is a senior citizen above 80 years of age. Apart from his verbal complaint on 29.06.05, he wrote several letters to NDPL on 30.06.05, 15.07.05, 14.10.05, 20.10.05, and 26.12.05 regarding the high consumption. Not only there was no response to his letters but, when he persisted with his complaint, he was treated like a beggar. He was very hurt at the rude behavior of the NDPL officers. The NDPL officers present had nothing to say to this complaint. **They were advised to ensure that the officers of the Licensee treat the consumer's courteously.**

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The order of the CGRF – NDPL is upheld ~~and~~ to the extent mentioned above.

अमरा मेहरा
(Asha Mehra)
Ombudsman