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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/2006/77

Appeal against Order dated 20.03.2006 passed by CGRF – NDPL on Complaint No. : CG.No. 0639/02/06/MTN (K.No. 33300331857 and 33300331858)

In the matter of:

Shri Ravinder Jit Singh Wadhwa - Appellant

Versus

M/s NDPL - Respondent

Present:-

Appellant Shri Ravinder Jit Singh Wadhwa

Respondent Shri Suraj Das Guru, Legal Representative
Shri Yogesh Luthra, District Manager on behalf of NDPL.

Date of Hearing: 18.07.2006, 25.07.2006
Date of Order : 04.08.2006

ORDER NO. OMBUDSMAN/2006/77

The Appellant has electricity connections 33300331857 & 33300331858 at his premises 149, Raja Garden, New Delhi-110 015. It is stated by him that the new electronic meter was installed at his premises on 23.9.2005 without inspection of the wiring of his residence. Nor any intimation was given to him regarding compatibility of the new electronic meters with the old installed wiring. He started receiving inflated bills of high consumption for the months of August and October 2005. The appellant made a complaint on 16.4.2005 before the CGRF informing high consumption of 390 and 90 units recording in 16 days as compared to earlier bills of 569 and 146 units for a full period of 2 months. Consumer meter was tested on 10.2.2006 i.e. nearly a year after the installation of the electronic meter and wiring fault was recorded in meter test report. The

CGRF gave no relief although it admitted that the consumption recorded by the electronic meters is on the higher side.

In the appeal before the Electricity Ombudsman it is contended that the new electronic meters were installed by the NDPL at his residence without prior inspection of the wiring nor any information was given to him regarding the compatibility of these meters with the old installed wiring. He has, therefore, prayed for revision of the high consumption bills based on the average consumption of last year as the status of the old meters were stated to be O.K. in each and every bill received from the DISCOM.

After scrutiny of the CGRF records, the contents of the appeal and submissions made by both the parties, the case was fixed for hearing on 18.7.2006. Shri Suraj Das Guru, Legal representative alongwith Shri Yogesh Luthra, District Manager attended on behalf of the DISCOM. The Appellant attended in person.

The case was discussed. It was observed that the new electronic meter was installed on 23.09.05 at the premises of the appellant. He made a complaint of high consumption being recorded by the newly installed electronic meters on 16.4.2005 but meter was tested only on 10.2.2006 when wiring fault was reported. The NDPL was asked in writing whether the new electronic meters installed at the residence of the Appellant had earth leakage indicators and whether current leakage was checked by them while installing electronic meters at the residence of the appellant, whether the appellant had been advised for getting his wiring checked etc. The NDPL vide letter dated 17.6.2006 replied that the newly installed meter at the appellant's residence does not have earth leakage indicators. The NDPL further stated that it is the duty and responsibility of the consumer to keep the internal wiring in proper condition and NDPL is not liable for any current leakage due to any defect in internal wiring since NDPL is responsible for providing electricity upto the point of commencement of supply i.e. upto in coming terminal cut out/MCB and it is the responsibility of the consumer to maintain proper internal wiring and stop leakage of current.

This reply of the NDPL was discussed during the hearing. In most of the cases, the consumer wiring is quite old and they have had no problem of high consumption bills with old electro mechanical meters as these meters were recording energy, **based on input current/average supplied to the consumer** but the electronic meters are designed to record consumption of energy, **based on higher of the input current and out going current through neutral of the meter**. The E/L indicator provided in electronic meters blinks whenever the differences between the incoming current and out going current through the meters exceed certain percentage. Under normal circumstances the input current and out going current should be the same. But where large number of meters are supplied through one service line, due to inter mixing of consumers wirings, the out going neutral current may exceed the input current which infact is the energy supplied to the consumer.

The E/L indicator is a very essential element of electronic meters because it will give instant indication whenever there is difference between the input current and out going neutral current due to inter mixing of the wirings. Installation of electronic meters without E/L indicator amounts to an act of keeping the consumer in darkness about the fictitious energy being recorded continuously by such electronic meters. **This fictitious energy is neither supplied by the NDPL nor is used by the consumer but consumer is asked to pay for it.**

The fact that electronic meters are capable of recording energy on the basis of higher of input current and out going neutral current is in the knowledge of NDPL, as such, they should have installed electronic meters which have E/L indicator.

As per DERC guidelines issued through press notification or otherwise NDPL should have checked the possibility of E/L before installing the electronic meters. Not checking the consumer installation before installing the electronic meters and not having E/L indicators on the meters installed by them amounts to serious deficiency on the part of NDPL. Generally consumers who are using electricity for the past many years have not faced such problem of internal wiring defects with electro mechanical meters. With the installation of electronic meters, the same wiring has become faulty and consumer is made responsible for it.

Electro mechanical meters were recording energy on the basis of supply given to the in coming terminal. But with electronic meters energy is recorded not on the basis of supply given to the in coming terminal but by taking into account **higher** of the input current which goes through consumer wiring and **out going** neutral current coming out of the meter. Under such circumstances **NDPL is wholly responsible up to the out going terminal of the meter and not up to the commencement of the supply only.**

In a similar case, CGRF-NDPL had ordered to replace the electronic meter which was not having E/L indicator with another electronic meter having the E/L indicator and due relief was given to the consumer. But strangely in this case CGRF has not applied the same logic and has neither ordered to replace the meter nor given any relief to the consumer.

DERC has issued guidelines through Press Notification regarding the approved procedure for change of meter. In this notification it is mentioned:

> "After installation of new meter, if it is observed that "E/L" (Earth Leakage) LED is emitting light (indicating some leakage in the internal wiring of the consumer), the consumer shall be advised by the Licensee to get his wiring checked to remove such leakage"

This would show that the NDPL should have checked the possibility of E/L before installing electronic meters.

During the hearing it was found that although the meter was checked on 10.2.2006, and faulty wiring was reported, the Appellant had not got internal wiring corrected. He was directed to get his internal wiring corrected within a week's time and report by 25.7.2006.

On 25.7.2006 the appellant and the representative of the DISCOM attended. It was reported that the consumer's meter was replaced on 24.7.2006 as per the meter change report submitted by NDPL. The consumer wiring was found OK and E/L indicator was not glowing. The Appellant also reported that his wiring fault was rectified.

Directions were issued to revise the Appellant's bill w.e.f. 29.3.2005 to 10.2.2006 when wiring defect was noticed / informed to the Appellant on the basis of average of 6 months consumption prior to 29.3.2005 and average of six months after 24.7.2006.

Appellant has to pay the current bills leaving demand for the period from 29.3.2005 to 10.2.2006 which would be determined/by the DISCOM as in the above directions. No LPSC is to be charged on such bills. The NDPL officers have agreed to revise the bill in accordance with the above directions.

separately

The CGRF order is set aside.

आशा मेहरा
(Asha Mehra)
Ombudsman