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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/2006/82

Appeal against Order dated 07.04.2006 passed by CGRF – NDPL on CG.No. 0649/02/06 MDT) (K.No. 31100314856)

In the matter of:

Shri J. Khanna - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri J. Khanna

Respondent Shri Gagan Sharma, Assistant Manager, Model Town
Shri B.L. Gupta, Commercial Manager, Model Town
Shri Suraj Das Guru, Executive (Legal) all on behalf of NDPL

Date of Hearing: 14.09.2006

Date of Order : 26.10.2006

ORDER NO. OMBUDSMAN/2006/82

The Appellant has filed this appeal against CGRF-NDPL order dated 7.4.2006 in CG No. 0649/02/06/MDT. The Appellant is a registered consumer of electric connection (**K. No. 31100314856**) for industrial use with sanctioned load 11.19 KW. In the appeal it is stated that CGRF has not accepted the following:

- 1) "They have not accepted NDPL notice and advice dated 13.10.2003, 26.12.2003 and 23.1.2004.
- 2) Against disconnected connection raised bill amounting to Rs.1,09,851.56 an intimation under LPSC waiver scheme. And now order says deposit Rs. 34,687/- after deducting LPSC Rs.9739/- payable amount Rs. 44426/- - Rs.9739/- = Rs.34,687/- NDPL bill dated 1.5.2006 is showing LPSC of Rs.31,142.29 after deducting that comes to Rs.13,283/- (payable amount).

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- 3) On disconnected connection they are charging me F. charges MG LPSC & fake consumption charges still they have not presented the clear picture”.

The Appellant has sought relief on above raised issues.

On perusal of contents of appeal, record of CGRF folder and reply of NDPL, the facts emerged as under:

- i) Under LPSC Waiver Scheme in December, 2005/January 2006, the Appellant received a bill indicating principle amount Rs.1,09,851/- and LPSC waiver amount Rs. 34,437/- with due date 6.1.2006.
- ii) The Appellant lodged complaint with NDPL against false and inflated bill as supply was lying disconnected since long. Thereafter, appellant lodged a complaint in CGRF on 31.1.2006 for correction of bills.
- iii) In reply before CGRF, NDPL furnished a copy of the bill indicating payable amount Rs.44,425.85 including LPSC amount of Rs. 9739/-. The CGRF passed orders for payable amount Rs.44,426 – Rs.9739 = Rs.34,687/-. Though it is stated in the order that consumer agreed for the same the CGRF records do not evidence any such consent by the appellant. The consumer has filed this appeal stating that CGRF order suffers from the following defects:
 - a) CGRF has not accepted NDPL notice/advice dated 13.10.2003, 26.12.2003 and 23.1.2004.
 - b) NDPL bill indicates payable amount Rs.44,425/- with LPSC amount Rs.31,142/- and payable amount comes to Rs.13,283/-
 - c) On disconnected connection NDPL is charging fixed charges MGL, LPSC charges and fake consumption charges and clear picture has not been presented.

After giving notice to both the parties hearing was held on 14.9.2006. Shri J. Khanna attended personally. Shri Suraj Das Guru, Executive, Legal Cell attended alongwith Shri Gagan Sharma, Assistant (R&C) and Shri B.L. Gupta, Commercial Manager, Model town on behalf of Respondent Company

During hearing, the appellant alleged that he has been receiving inflated bills though his connection is lying disconnected since long. A copy of NDPL inspection report dated 31.5.2004 indicated that supply was found already

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disconnected at reading 138290. Another disconnection notice dated 23.1.2004 reveals that since the consumer has not paid despite disconnection notice dated 26.12.2003 served on him on 5.1.2004, the supply has been disconnected for non payment of dues amounting to Rs. 37,360/-.

The statement of account of the Respondent indicated that principle amount arrears as on 28.1.2004 were Rs.30,707/-. After hearing arguments and taking into consideration the documents produced during hearing, Licensee Company was directed to submit revised calculations taking the arrears upto December 2003 + fixed charges from January 2004 to June 2004.

As per revised calculations total amount payable comes to Rs.32,401/-. After allowing credit of Rs.11,563/- deposited on 1.5.2006; **the balance amount payable (without LPSC) is Rs. 20,838/-**. This amount may be deposited in three instalments as requested by the Appellant.

The order of CGRF is set aside.

अशा मेहरा
(Asha Mehra)
Ombudsman