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Office of Electricity Ombudsman
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)
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(Phone No.: 32506011, Fax No.26141205)

Appeal No. F. ELECT/Ombudsman/2006/85

Appeal against Order dated 20.04.2006 passed by CGRF – NDPL on CG.No. 0665/02/06/MTN (K.No. 33200138686)

In the matter of:

Smt. Rajni Mahajan - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Smt. Rajni Mahajan
Shri Mukesh Goel, Accountant

Respondent Shri Yogesh Luthra, Senior Manager, District Moti Nagar
Shri N.C. Gurani, Assistant Manager, Meter Group
Shri Suraj Das Guru, Executive (Legal) all on behalf of NDPL

Date of Hearing: 11.07.2006, 25.07.2006, 22.08.2006, 31.08.2006
Date of Order : 26.09.2006

ORDER NO. OMBUDSMAN/2006/85

An appeal dated 8.5.2006 is filed by the Appellant Smt. Rajni Mahajan against CGRF order dated 21.4.2006. Perusal of contents of appeal, the CGRF records and the submissions made by both the parties in response to the queries raised reveal the following:

- 1) Reading recorded by NDPL on 27.5.2005 was R-88755 and while replacing the meter on 31.5.2005 the reading recorded was R-109629.
- 2) The Appellant's contention is that it is not possible to consume 20874 units (109629 – 8875) in four days; as such last reading recorded is not correct.

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- 3) The Appellant has argued before CGRF that NDPL has not been able to furnish any proof of accumulated readings whereas NDPL argued that is a case of accumulated reading and as per meter change report, reading recorded on 31.5.2005 was correct.
 - 4) The CGRF up held the contention of NDPL that it is a case of accumulated reading i.e. readings recorded earlier were less and reading recorded on 31.5.2005 was correct.

It is against this order of CGRF, that, the Appellant filed this appeal. The case was fixed for hearing on 11.7.2006. Appellant Smt. Rajni Mahajan attended alongwith Accountant Shri Mukesh Goel.

Shri Yogesh Luthra, Senior Manager District Moti Nagar attended alongwith Shri Suraj Das Guru, Executive Legal on behalf of the Respondent.

During hearing NDPL officials reiterated what was stated in their letter dated 6.7.2006 that the reading as on 31.5.2005 was correctly recorded at the reading of 109629 at the time of replacement of the meter. The Appellant had duly signed the protocol after verifying the contents thereof and thereby indicating for acceptance of the reading down loaded at the time of replacement. Smt. Rajni Mahajan also referred to her letter dated 11.7.2006 wherein she stated that never before her "per day consumption" was as high as 5219 units as in case of the reading taken on 31.5.2005 (reading from 27.5.2005 to 31.5.2005). She annexed the consumption for the past 40 months to substantiate her above contention. She also stated in her said letter that status of the meter was shown as O.K. in the monthly electricity bills and therefore it would mean that the meter was working properly and the readings noted also were correct. It, therefore, can not be a case of accumulated reading as was held by CGRF.

It may be noted here that the appellant is running a manufacturing unit and therefore the consumption pattern in the earlier months is not a scientific method to be adopted for comparison, because if the production in a particular month has been high, the energy consumed is bound to go up and if in any given period, the production is very low than the energy consumed will automatically reduce. Thus, going only by the consumption pattern will not be of much help, although, it needs to be examined as to how and why in four days (27.5.2005 to 31.5.2005) the consumption of 20874 units has been recorded. Smt. Rajni Mahajan was, therefore, asked to verify whether there was any extra production in the months of April/ May 2005 so as to consume more energy. She stated that production registers would not indicate the correct usage of energy because she was also using a generator whenever there was power failure. Hence, because of combined use of electric energy as well as generator, production records would not enable us to determine the correct consumption of energy supplied by the DISCOM.

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The NDPL Officials were asked to confirm whether readings prior to 31.5.2005 were recorded manually or through some instrument and for how many months incorrect/less readings were recorded.

NDPL officials were asked to identify the persons who have taken readings prior to 31.5.2005 in this case and they should be present on next date of hearing 25.7.2006 for throwing some light in this matter.

On 25.7.2006 Smt. Rajni Mahajan attended alongwith Accountant. Shri Yogesh Luthra attended alongwith Assistant Manager, Meter Group, Shri NC Gurani. NDPL Officials informed that readings prior to 31.5.2005 were recorded manually by the out sourced agency staff who are presently not available for giving evidence in respect of readings recorded by them. They were also not able to state with certainty regarding the period during which less readings were recorded. NDPL officials were asked to submit in writing which incorrect readings were recorded earlier and how many bills based on incorrect readings were issued. Since, the meter was reported to be electronic, it should be possible to down load the data and submit evidence of wrong readings recorded/less consumption charged earlier.

In subsequent hearings held on 22.8.2006 and 31.8.2006, NDPL officials submitted the "down loaded tempered data" showing energy meter readings for the period from 26.3.2005 to 29.7.2005. A copy of same was handed over to the Appellant.

The details of readings as per tempered data down loaded and as per reading recorded manually/billed earlier are as under:

Date	Reading as Per tempered data	Units to Be billed	Reading recorded manually	Units already billed	Difference-less billing
28.4.05	91233	-	81785		9448
27.5.05	107620	16387	88755	6970	9417
31.5.05	109629	2009	-	-	2009
				Total	20874

This would show that the actual consumption of 20874 units does not relate to 4 days (27.5.2005 to 31.5.2005) period as is made out but is because of consumption recorded less during months of April 2005 and May 2005.

From the above it is evident that 9448 units were less billed for the month ending 28.4.2005, 9417 units were less billed for the month ending 27.5.2005 and 2009 units were consumed during the period 27.5.2005 to 31.5.2005. This

conclusion is based on the tempered data down loaded from the electronic meter of the Appellant and therefore is, necessarily correct. The above shows that the average consumption of the appellant was $2009 \div 4$ i.e. 502 units per day during the period 27.05.05 to 31.05.05. The consumption chart for 40 months submitted by the appellant shows consumption of units per day in the preceding 6 months varying between 439 and 240 units. Accordingly, consumption of 502 units per day is not a very high figure compared to 439 in October 04.

Thus analysis of the data down loaded from the meter shows less billing for two months for which the manual readings were taken by out sourced staff which was not done correctly. **In view of the above it is held that, the readings taken on 31.5.2005 are correct and the Appellant is required to pay the charges as demanded by the DISCOM.**

A word of caution is for the DISCOM to ensure that correct readings are taken every month and the consumers are not made to pay on the basis of incorrect readings recorded earlier and then burden them with higher payments required on down loading the data from the electronic meter. This is to be avoided.

In view of the above finding, there is no reason to disagree with the conclusion of the CGRF order.

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(Asha Mehra)
Ombudsman