

Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110 017

No. F. 11(529)/DERC/2009-10/C.F.No. 2249/5144

Petition No. 30/2009

In the matter of: Complaint under Section 142 of the Electricity Act, 2003

And

Sh. K. Bala
S/o Late Sh. Krishna Swami
R/o F-367, Mangol Puri,
Delhi-110 083

...Complainant

VERSUS

North Delhi Power Ltd.
Through: its CEO
Sub-Station Building,
Hudson Lines, Kingsway Camp,
Delhi - 110 009.

...Respondent

Coram:

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &
Sh. J.P. Singh, Member**

Appearance:

1. Sh. K. L. Bhayana, Advisor, NDPL;
2. Sh. Ajay Kalsie, Co-Secretary, NDPL;
3. Sh. O. P. Singh, Sr. Manager, NDPL;
4. Sh. Sanjay K. Sharma, DGM, NDPL;
5. Sh. Vanesh Tyagi, Manager, NDPL.

Order

(Date of Hearing: 25.10.2011)

(Date of Order: 29.11.2011)

1. The above complaint has been filed by Sh. K. Bala against North Delhi Power Limited under section 142 of the Electricity Act, 2003.

2. In the instant complaint, the complainant has stated that on 20.08.2009 he made cash payment of Rs. 2200/- against a bill for Rs. 2200/- for the month of August 2009.
3. After receipt of the said amount the Respondent in a most negligent manner issued a thermal paper receipt, which was objected by the complainant who requested the respondent to issue a proper receipt.
4. It has been alleged by the complainant that the Respondent refused the said legitimate demand of the complainant and said that they are issuing such receipts to all the persons who are making payment and there cannot be a separate rule for the complainant.
5. In support of his view/demand, the complainant has submitted that the receipt of payment of electricity bill is an important document which may be required to be produced on demand even after passing of 4-5 years not only before the respondent but before any court of law/Forum/Rent Controller etc. The Respondent is putting the consumer at risk by shifting the onus of proving payment on to him, and the consumer is unable to prove payment, since the receipt itself becomes faint and is not readable with time.
6. The Respondent in response to the queries made by the complainant on 09.11.2009, against issuance of such thermal paper receipts, submitted the following:-
 - a) That the amount paid by the consumer is found reflected in the next bill which will never become faint.
 - b) That they have given necessary advice to make photocopy of the thermal paper receipt, in case the consumer want to preserve the contents thereof for a long time record.
 - c) That the objection in regard to issuance of thermal paper receipt is a counter blast to the DAE case registered against the complainant.

7. The complainant pleaded that the defence taken by the Respondent in the above matter is not tenable and sustainable in the eyes of law which is totally against the principles of natural justice.
8. In the instant complaint, the Petitioner prayed the following:-
 - a) Pass appropriate regulatory directions to the Respondent/NDPL to immediately stop the issuance of thermal paper receipts at least to those persons who make payment in the office of Respondent (instead of easy bill outlets) and to restore the old machine which was being used to issue proper receipt i.e by printing over the original bill itself.
 - b) Impose a heavy penalty of Rs. One crore for adopting such a negligent attitude by issuing such receipts which jeopardize the valuable right of the consumer to maintain neat & clear record as the respondent has already issued lakhs of thermal paper receipts till date and they are still continuing.
 - c) Sanction of reward to the complainant in form of monetary or in any other form for bringing on record/knowledge of this Commission the irregularities being committed by the NDPL/Discoms.
 - d) To pass similar directions/restraint order to all Discoms, so that the valuable rights of the consumers may be protected and they may not be forced to run from pillar to post to prove their payments in future.

Respondent submissions:

9. After taking cognizance of the above complaint and after considering the submissions filed by Sh. K. Bala, Commission issued directions to all distribution licensee including above Respondent vide letter no. F.11(529)/DERC/2009-10/C.F.2249/3786 dated 14.12.2009, stating therein that the thermal paper receipt cannot be relied as proof with passage of time, therefore, they are duty bound to issue receipts in a particular form that can be preserved over a period of time and hence

were directed to issue proper receipts in a particular form which can be preserved over a period of time.

10. In response to the above, Sh. Vivek Singla, Sr. General Manager (Power Management & Corporate Commercial) NDPL, vide Letter no. NDPL/CCM/110 dated 15.09.2011 in continuation of his earlier letter even no. dated 14.06.2010 submitted that they have replaced all thermal printers installed at NDPL collection counters with 'SP 298 Slip Dot Matrix Printers' after incurring expenditure of Rs. 15 lakh in compliance of the directions issued by the Commission.
11. The Respondent further submitted that other payment options e.g. ATPM, Easy bills, I-pay drop boxes etc. are available to the NDPL consumers through outsourced facilities run by the institutions which serve other organization/utilities as well as NDPL and Thermal Paper Receipts are in wide usage across various sectors including Petrol Pumps, ATM's etc and is a well acknowledged mode in all credit/debit card transactions in the banking sector across the country. Therefore, it may not be possible for the licensee to replace it at all other payment options (outsourced), because NDPL does not exercise any direct control on all these service providers and also due to huge additional investment which shall be necessitated in order to do, whereas the same may not be feasible.
12. The Respondent further submitted that, in case the Hon'ble Commission still insists that the receipts for bills paid be issued only on normal paper then NDPL may withdraw the additional payment facilities outsourced by it which shall result in reduction of the no. of payment options available to its consumers.
13. Point / issues to be decided by the Commission:
 - a) Whether to allow the existing arrangement as stated by the licensee or

- b) To ask the licensee to issue additional permanent receipts subsequently in respect of payments collected by such outsourced service providers who issue thermal receipts.
- 14. The above matter was listed for hearing today in the Commission which was attended by the above-mentioned representatives of the Respondent, NDPL. However, the Complainant was not present; he expressed his inability to appear before the Commission through a submission filed in the Commission, which was taken on record. In his submission, the Complainant even showed his willingness to withdraw his prayer with relation to awarding of any monetary relief and requested the Commission to proceed further for issuing any direction to NDPL and other DISCOMs in the above matter so as to protect the interest of the consumers at large.
- 15. In the course of hearing, the representatives of the NDPL submitted that they have partially implemented the directions of the Commission by replacing all thermal printers installed at NDPL collection counters with SP298 Slip Dot Matrix printers after incurring a cost of Rs. 15 lac so as to provide a solution for permanent print impression on the payment receipt. However, it has also been submitted that it is not possible to replace it at all other payment options (outsourced), because NDPL does not exercise any direct control on all these service providers and also due to huge additional investment which shall be necessitated in order to do so. However, in case the Commission still insists that the receipts for bills paid be issued only on normal paper then NDPL may withdraw the additional payment facilities outsourced by it which shall result in reduction of the number of payment options available to its consumers.
- 16. After a detailed hearing the Commission directs all the DISCOMs, who are in operation of distribution of electricity in the area of NCT of Delhi including Respondent NDPL, to publicize various options to the consumers for their awareness and selection namely
 - (i) Outlets at which permanent receipts are issued.

(ii) Outlets at which thermal receipts are issued.

17. It may be further clarified that a consumer who has been issued a thermal receipt may approach any consumer service centre of the discom to obtain a permanent receipt, if he so desires.
18. Petition disposed off.
19. Ordered accordingly.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P. D. Sudhakar)
CHAIRPERSON