

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

F.7(23)/DERC/Forum/2006-07/

CG No. 0792/06/06/SKN

In the matter of:

Narender Kumar Saxena,
24/9, Shakti Nagar,
Delhi.

...Complainant

VERSUS

North Delhi Power Ltd.
Through: its **CEO**
Sub-Station Building,
Hudson Lines, Kingsway Camp,
Delhi-110009.

...Respondent

Coram:

Sh. Berjinder Singh, Chairman & Sh. K. Venugopal, Member.

Appearance:

1. Sh. Narender Kr. Saxena, Complainant;
2. Sh. Anurag Bansal, Executive Legal, NDPL;
3. Sh. O. P. Singh, AM, CCM;
4. Sh. Krishnendu Datta, Advocate, NDPL.

ORDER

(Date of Hearing: 11.09.2008)
(Date of Order: 17.09.2008)

1. The present complaint was referred to this Commission by the CGRF vide its Order dated 22.08.2006 recommending therein imposition of penalty on the Licensee.
2. The brief background of the matter is that a meter was installed in the premises of the Complainant on 16.06.2003 with initial reading at 8. After over a period of 27 months i.e. on 20.07.2005 the first bill for an amount of Rs. 2,438.62 was raised by the Respondent against the complaint. The factual aspects have already been adjudicated by the CGRF on the basis of which the matter was disposed of on 22.08.2006 by recommending the imposition of penalty upon the Respondent Licensee for not raising the bill for over a period of 27 months after the installation of the meter.
3. Accordingly, a notice was issued to the Respondent Licensee to which they have submitted the following:

- a) That Regular bill of the consumer could not start immediately after installation of the meter as the requisite data was not fed by the agency engaged by the NDPL.
 - b) That the consumer, as per his own letter dated 6.2.2006 has already admitted the fact that the said connection was disconnected somewhere in 1994, due to non payment of dues which subsequently was restored on 16.6.2003.
 - c) That the present complaint falls under the category of a restoration of an existing connection and is not covered under a case of new connection.
- 4. The Commission vide its order dated 17.07.2007 directed the Respondent Licensee NDPL to furnish the details regarding compliance of the order dated 22.08.2006 passed by the CGRF.
 - 5. In response to the said order, the Respondent Licensee have submitted that they have provided facility of payment of the dues to the Complainant in three equal monthly installments in order to pay the balance outstanding amount of Rs. 11,453/- in which the first installment of Rs. 4,000/- was to be paid by 08.09.2006 to which the Complainant complied but, the balance second and third installment have not been paid and the Complainant has committed default. They have also submitted that the Complainant is not even making the payment against the current demand on account of electricity consumption resulting in accumulation of dues amounting to Rs. 13,610/- as on June, 2007.
 - 6. Sh. Krisnendu Datta, Advocate for the Respondent Licensee, submitted that the consumer did not even comply with the Order of the CGRF passed on 22.08.2006. He was even allowed by the CGRF to make the payment in three equal installments but, the Complainant after paying an amount of Rs. 4,000/- did not make any payment and is not even clearing the current demand raised by them.
 - 7. The Complainant submitted that he is not satisfied with the order of the CGRF.

8. It has been observed that the submissions made by Sh. Krishnendu Datta, Advocate, are in the matter of non-payment of arrears of electricity bills. The DISCOM is at liberty to take appropriate action in accordance with the provisions of the Act read with the relevant Regulations. The contention of the Complainant that he is not satisfied with the order of the CGRF is also not maintainable in the present Petition before the Commission as the appeal against the order of CGRF lies before the Ombudsman and not before this Commission. Therefore, the Complainant is advised to approach the Ombudsman, if required. In the present case there was a delay of 27 months in raising the first bill after installation of the meter and it is for that reason that the CGRF has referred this case to the Commission for imposition of penalty upon the Respondent Licensee.
9. The submissions made by the Respondent Licensee in reply to the notice issued by this Commission have been perused and the Commission observes that there is an inordinate delay on the part of the Respondent Licensee in raising the first bill which is violative of Regulation 39 of the DERC (Performance Standards – Metering & Billing) Regulations, 2002. The Commission, therefore, imposes a penalty of Rs. 5,000/- (Rupees Five Thousand only) upon the Respondent Licensee, with a further direction to be more careful so that such delays do not take place in future.
10. Ordered accordingly.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(Berjinder Singh)
CHAIRMAN