

OFFICE OF ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

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Appeal No. 14/2025

(Against the CGRF-BRPL's order dated 20.01.2025 in CG No. 115/2024)

IN THE MATTER OF

Smt. Archana Choudhary

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Shri Narayan Deo Choudhary, Spouse of the Appellant

Respondent: Shri A.J. Kishore Kumar, DGM (B), Shri Sudarshan
Bhattacharjee, Senior Manager and Shri Shreyek Gupta,
Advocate, on behalf of BSES-BRPL

Date of Hearing: 28.05.2025

Date of Order: 29.05.2025

ORDER

1. Appeal No 14/2025 dated 17.02.2025 has been filed by Smt. Archana Choudhary, R/o RZF-222/3, First Floor RHS, Khasra No. 55/16, Gali No.2, F-Block, Raj Nagar, Part – II, Palam Colony, Delhi - 110077, against the Consumer Grievance Redressal Forum – Rajdhani Power Limited (CGRF-BRPL)'s order dated 20.01.2025 in CG. No.:115/2025.

2. The background of the case is that the Appellant, Smt. Archana Choudhary had got a connection released vide Application ONPLM 0902241091 at the above mentioned address. At the time of installation, in the meter-sheet the Respondent wrongly mentioned address as UGF (Upper Ground Floor) instead of first floor. The applicant, therefore, applied for address updation in BSES-BRPL's record vide a letter dated 22.04.2024. Subsequently, she visited office of the Discom and sent a number of letters/e-mails seeking correction of her address, but to no avail. As a result, she filed complaint before CGRF-BRPL, asserting that she had applied for a new connection at the address RZF-



222/3, First Floor, RHS (Right Hand Side) Kh. No. 55/16, Gali No. 2, F-Block, Raj Nagar Part -2, Palam Colony, New Delhi, in February, 2024. Upon receiving her first bill she noted that her address was incorrectly mentioned as UGF L/S (Upper Ground Floor – Left Side) instead of First Floor RHS. Despite number of requests, the Discom did not correct the same till date. The Appellant requested the Forum to direct the Discom for update their record with the correct floor address and a compensation of Rs.1.00 lakh for the mental agony caused to her.

3. However, the Discom stated that the Appellant had applied for a new connection on 09.02.2024, which was subsequently activated for the address applied for. Further, at the same time, other occupants/residents of the same building also submitted their applications for new connection, leading to certain discrepancies in the records, which required further examination. Moreover, it was identified that the incorrect billing address was a result of IT system malfunction. The application was submitted electronically, and any modification to the address required adherence to the necessary approval process, as mandated in the internal protocol and procedures. To ascertain the necessary declaration related to the address, a site visit was conducted by the Technical Field Engineer (TFE). The site visit was an integral part of the process to resolve the issues identified. It thus ensured that each meter was appropriately connected to the correct floor as per the validated details. The file was thoroughly reviewed and the address was rectified through the due approval process by the concerned department in October, 2024.

4. The CGRF-BYPL, in its order dated 20.01.2025, considered that the reasons provided by the Discom for the in-ordinate delay were merely an attempt to cover lapses on their part. While, the reason of IT System malfunction could only partially justify their claim, although power supply to the consumer remained unaffected, but lethargic approach of the Respondent's officials in handling the matter definitely caused mental agony to the consumer. Since the Discom had unconditionally apologized for the delay, the grievance had been resolved. The Forum found no provision for compensation in the DERC's Supply Code, 2017, and, therefore, considered that the request of the complainant for compensation is not tenable. The Forum directed the Respondent to be more vigilant, courteous and prompt in addressing the consumers' grievances and disposed the complaint.

5. The Appellant, aggrieved by CGRF-BYPL's order dated 20.01.2025, has filed this appeal, contending that the required correction in the billing address was carried out by the Discom after the CGRF-BYPL's intervention. The Appellant prayed for compensation of Rs.1.00 lakh for the mental agony caused to her due to the inordinate delay in correcting the billing address.



6. The Discom, in its written submission dated 17.03.2025 to appeal, has reiterated the submissions placed before the CGRF-BYPL. In addition, the Discom has submitted that the Appellant did not seek any compensation in the original complaint submitted to them. Furthermore, the Appellant also did not seek any compensation relief in the complaint filed before the CGRF. It had only been sought compensation after the complaint was registered, and a notice was issued, the issue raised was resolved and the Discom's reply was filed on record. According to the Rule 10 and 29 of DERC (Guidelines for the Establishment of the Forum and Ombudsman), 2024, issue only raised before the Discom, which have not been resolved could be filed before the Forum. Therefore, the issue of compensation could not have been adjudicated upon by the Forum. Furthermore, the CGRF did not allow any amendments to the complaint, therefore, claim for compensation cannot be adjudicated upon.

7. The appeal was admitted and fixed for hearing on 28.05.2025. During the hearing, both the parties were represented by their authorized representatives/advocates. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman and Advisor (Law), to elicit more information on the issue.

8. During the hearing, the Appellant reiterated the submissions as stated in her appeal. The Appellant contended that in the light of the harassment suffered over a period of over six months and repeated visits to the O/o Discom and meeting with various officers, request made for grant of compensation of Rs. 1.00 lakhs due to the inordinate delay, may be allowed.

9. In rebuttal, the Respondent submitted that in the initial email complaints dated 12.10.2024 & 16.10.2024 submitted before the CGRF, no request for compensation was made. Even, a reply through e-mail dated 18.10.2024 was sent to the Appellant along with the rectified bill mentioning the updated correct address as "First Floor, RHS". This establishes that during the pendency of the matter before the CGRF, the necessary address correction was carried out, therefore, the grievance stood redressed. Later, only in the complaint dated 26.10.2024 for the first time, a claim for huge compensation was made. Therefore, such claim of compensation for inordinate delay/harassment was inadmissible, as there is no provision for it in Schedule – I to the DERC Supply Code, 2017. In response to a query by the Ombudsman on the issue of inordinate delay, the officer present could not respond convincingly and admitted to the the fact of delay due to a glitch in the IT system. However, the Respondent (DISCOM) had already unconditionally apologized for the delay before the CGRF.



10. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

- (i) It is not in dispute that the applicant had mentioned the proper address in the application for connection and the grievance raised in respect of wrong address recorded during February, 2024 in the 'Meter Particular Sheet', before Meter Reader and the various authorities before Discom, was only redressed in October, 2024, causing mental agony.
- (ii) The stand by Discom about multiple applications, site visit and declaration, connection details, address discrepancy, IT issue, approval of charges and follow up visit, are all afterthought intended to cover inefficiency, total absence of sensitivity to consumer grievance and absence of mechanism for corrective action, within a defined timeframe.
- (iii) Whether there are established protocols and laid down time-frame for change of address requested and details of officials responsible for the delay/causing mental agony is not borne from record.
- (iv) What departmental action or enquiry was instituted is not specified.
- (v) If Information Technology system was mal-functional, the steps taken for rectification, number of other customers affected and their grievances non redressal is not brought on record.
- (vi) Regulation 17(1) deals with request for transfer of connection and lays down a period of two billing cycles for effecting change of applicant name. No such period for address change is laid down.
- (vii) The harassment caused to the Appellant is a matter on record. It is laid down in Regulation 61 of the DERC (Guidelines for Establishment of Forum and Ombudsman for Redressal of Grievance of Electricity Consumers) Regulations, 2024, that the Ombudsman may evolve procedure conforming to principles of fair play and natural justice.
- (viii) It is clear that there was an error on the part of in Respondent. When the Appellant applied with proper details, then how in meter slip wrong address was mentioned? For such error on face of it, the Respondent should have taken suo moto action rather than to wait for the consumer to move CGRF and finally it took about eight months for resolution.

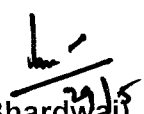


11. In the light of the above, this court directs as under:

- a) The order passed by the CGRF-BRPL stands modified.
- b) In the interest of justice and fair play, a compensation of Rs.7,500/- is awarded to the Appellant, to be adjusted in ensuing bills.
- c) An enquiry be initiated by the CEO for identifying reasons for inordinate delay and bring about systemic changes through laid down protocols so that the consumers similarly placed are not made to suffer. During the enquiry, if officer/s are found wanting in timely addressing the grievance, action be initiated against them.
- d) Action taken report be submitted within six weeks.

12. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.


(P.K. Bhardwaj)
Electricity Ombudsman
29.05.2025