

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/2008/282

Appeal against letter no. CGRF/F-2/08-09/1280 dated 24.07.2008 issued by CGRF–NDPL.

In the matter of:

Shri Dal Chand Anand

- Appellant

Versus

M/s North Delhi Power Ltd.

- Respondent

Present:-

Appellant Shri Kamal Anand, attended on behalf of the Appellant

Respondent Shri O.P. Arora, Commercial Manager,
Shri Mohammed Arif, Zonal Manager and
Shri Vivek, Assistant Manager (Legal) attended on behalf
of NDPL

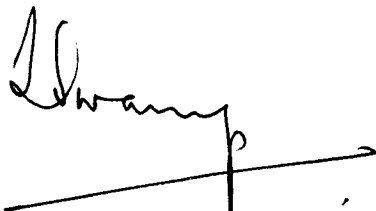
Date of Hearing : 16.09.2008

Date of Order : 18.09.2008

ORDER NO. OMBUDSMAN/2008/282

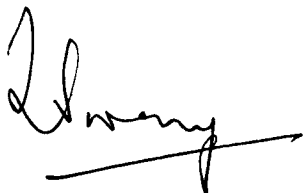
1. The Appellant Shri Dal Chand Anand is the resident of 45/7, Ground Floor, Rajpur Road, Type-5, Civil Lines, Delhi and is a bonafide consumer of electricity provided by the NDPL vide K. No. 31204029697J at his premises.
2. The Appellant filed a complaint dated 18.07.2008 before the CGRF-NDPL stating that at about 2:00 AM on the night of 10th and 11th July, 2008, there was fluctuation in the supply of electricity which ultimately resulted

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in 'no supply' for which a complaint was lodged on telephone number 66404040. It is the Appellant's plea that the complaint made on phone was attended with the assurance that the personnel of NDPL would come within half an hour for restoring the supply after rectifying the fault. During the night of 11th July however nobody turned up and the inverter was used till the morning when its transformer also got burnt because of fluctuation and non supply of electricity. The battery of the inverter also got exhausted and it failed to work. On 11.07.2008, despite calls made on the said phone number, nobody attended the fault. The PWD staff, who were called also (premises being Government premises) to rectify the fault, if any, inside the premises, also informed that the fault was somewhere in the phase cable. Electricity Supply was not restored during the night of 11th or on 12th July 2008 despite several complaints having been made on phone number 66404040. On 13th July 2008 again a call was made when NDPL officials attended the complaint and rectified the fault and restored the supply of electricity for which a slip was issued to the complainant.

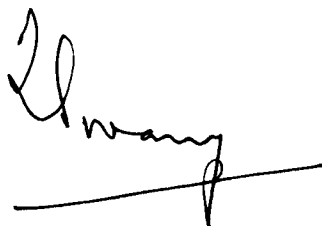
3. The Appellant states that he had to suffer a lot of harassment due to non supply of electricity and financial loss due to damage to the inverter. The Appellant has claimed that lack of action on the part of NDPL (service provider) till 13th July 2008 for restoring his supply, has caused physical and mental torture for which compensation of Rs.25,000/- is payable in addition to Rs.15,000/- for the loss incurred due to damage to his inverter..
4. The Secretary CGRF-NDPL acknowledged the complaint of the Appellant vide his letter dated 24.07.2008 and the Appellant was advised to take up the matter in writing with the Consumer Care Centre of the concerned



district of NDPL as he had not fully exhausted the complaint handling procedure as laid down by DERC. The Appellant was further informed that in case he does not get any response or is not satisfied with the response of NDPL, he may file a case before the Forum.

5. Not satisfied with the decision conveyed by the CGRF vide letter dated 24.07.2008 of the Secretary CGRF-NDPL, the Appellant has filed this appeal stating that the decision was taken without hearing him thereby, infact rejecting the claim of the Appellant made in the complaint submitted to the CGRF. The letter dated 24.07.2008 of the Secretary CGRF-NDPL amounts to not only non-exercise of the jurisdiction vested in the Consumer Grievance Redressal Forum (CGRF), but also amounts to rejection of the claim on the excuse that the Appellant is required to take up the matter with the Consumer Care Centre of NDPL, who has nothing to do with the matter in the complaint. No care was being sought by the consumer in the complaint made to the CGRF. The complaint was made against that very Care Centre for causing loss and damage to the Appellant by not providing adequate care to the complainant and by not restoring electricity supply for three days. The Appellant has prayed in the appeal for compensation for the harassment and damage to the extent of Rs.40,000/-, with costs.
6. After scrutiny of the contents of the appeal, the CGRF letter dated 24.07.2008 and the reply submitted by the Respondent, the case was fixed for hearing on 16.09.2008.

On 16.09.2008, the Appellant was present through his son Shri Kamal Anand. The Respondent was present through Shri O.P.



Arora, Commercial Manager, Shri Mohammed Arif, Zonal Manager and Shri Vivek AM (Legal).

Both the parties were heard. The Appellant reiterated the submissions already made in his appeal, and stated that despite his complaint, no hearing was given to him by the CGRF and no decision was taken on his plea for compensation. Since he was not given any relief by the CGRF, he had filed this appeal. The Respondent submitted that the 'no current' complaint was received through the centralized complaint centre at 10:03 AM on 11.07.2008. The linesman who went to attend the complaint reported that the supply was OK up to the outgoing terminal of the meter. The same complaint was again received at 12:30 PM and at 2:54 PM on 11.07.2008 and the linesman reported that the supply was OK on both occasions. No complaint was received on 12.07.2008. Thereafter, another complaint was received at 2:00 PM on 13.07.2008 and the same was attended to by the line staff the same day at 3:00 PM. The Respondent produced a copy of the complaint register dated 13.07.2008, and also confirmed that rectification of the burnt cut-out at the feeder pillar was done on 13.07.2008. Thereafter supply to the Appellant's premises was resumed.

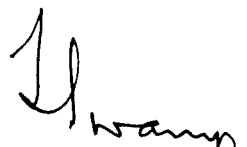
The Respondent officials could not produce any record to show when the complaints of 'no current' were actually received by the centralized complaint centre on 11.07.2008 and when the same were passed on to the maintenance staff for attending to the fault. The Respondent officials stated that on earlier visits by the maintenance staff on 11th July 2008 the supply was found to be okay up to the meter terminals. However on 13.07.2008 the cut-out at the feeder pillar was found burnt and the same was attended to by the maintenance staff



attending to complaints. An acknowledgement slip was issued after rectification of the fault, and the same is signed by the consumer who had made the complaint. The Respondent officials could not produce any slip showing that the complaints were attended to on 11.07.2008 or 12.07.2008 with the acknowledgement of the consumer who had made complaints earlier also.

7. It appears that due to a loose connection there was sparking in the cut-out which caused fluctuation in the supply as reported by the Appellant, and this resulted in burning of the cut-out leading to interruption of supply. It is evident that the supply of the Appellant remained disrupted for three days i.e. 11th, 12th, and 13th July, 2008, and that too in the summer months. This has evidently caused grave inconvenience and harassment to the consumer for which a compensation of Rs.3,000/- is awarded to the Appellant. As regards damage to the inverter, it could not be established that the same is attributable to the Respondent. No payment of costs is called for.

18th September 2008.


(SUMAN SWARUP)
OMBUDSMAN