

5

**Office of the 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/2013/522**

Appeal against the Order dated 13.08.2012 passed by CGRF–BRPL  
in CG.No. 459/2011.

**In the matter of:**

**Shri Prakash Saxena - Appellant**

**Versus**

**M/s BSES Rajdhani Power Ltd. - Respondent**

**Present:-**

**Appellant: Shri Parkash Saxena was present in person**

**Respondent: Shri Anand Tripathi, DGM (Business), Dwarka,  
attended on behalf of the BRPL.**

**Date of Hearing: 02.01.2013**

**Date of ~~Order~~: 04.01.2013**

**ORDER NO. OMBUDSMAN/2013/522**

Shri Prakash Saxena, resident of B-107 A, Patel Garden, New Delhi – 110059, filed a complaint to the Consumer Grievance Redressal Forum – BSES Rajdhani Power Ltd. (CGRF-BRPL) in November 2011 regarding wrong assessment of MDI. The CGRF, after hearing the matter, recorded a finding that the DISCOM had accepted the consumer contention, the complaint had been redressed and closed the case. They also directed the DISCOM to separately call Shri Saxena and satisfy him with regard to technical queries on metering raised by him in his complaint.

The Appellant filed an appeal against the CGRF's order seeking compensation for time, energy, harassment, agony and expenses incurred in pursuing the case. Further, he has argued for reimbursement of conveyance of Rs.1,000/- per visit both for the CGRF complaint and the Ombudsman appeal. He also raised certain issues regarding observations made by the CGRF.

The facts are that the consumer, Shri Prakash Saxena, had complained to the DISCOM regarding a wrong increase of MDI some time in September, 2011. The amount involved, in load enhancement charges and fixed charges, was of the order of about Rs.4,000/- only. The DISCOM was obviously not able to satisfy the consumer in September 2011 and he went to the CGRF. The final hearing of the case was apparently held on 24.04.2012, by which time the matter had already been resolved between the DISCOM and the consumer, and an order was passed on 13.08.2012 on the lines indicated above. The order of the CGRF is 18 (eighteen) pages long. This is an unusual length of order for the subject matter involved. A significant portion of this relates to some queries raised by the Appellant and the replies thereto. The order also records some of the events that took place from September 2011 onwards between the consumer and the DISCOM. The order appears to reproduce the e-mail exchanges back and forth, as well as details of inspections held to redress the consumer's complaint. It also contains the consumer's statement expressing a lack of confidence in the functioning of the DISCOM and a discussion on some of the technical issues being considered during the process of the inspection.


During the pendency of the CGRF case, a number of hearings were held in which the results of inspections were indicated to the CGRF. The resultant decision by the DISCOM on 28.02.2012 to revise/reverse the MDI enhancement is also mentioned. Subsequently, on 14.03.2012 the order mentions the consumer informing the CGRF of the full committed amount not having been adjusted. Later in the order the complainant/consumer is said to have expressed dissatisfaction with the order of the DERC in respect of enhancement of load on

3

the basis of MDI readings. He is said to have asked to be allowed to make a representation on the issue. Further, there are details, given by the DISCOM on how the MDI indicator works, etc. including some details on how cable selection for house wiring is done and what kind/size of cables are used by the BSES. The DISCOM is here on record informing the CGRF that load enhancement has been reversed and the relevant amount adjusted. BSES also mentions that the MDI issue arose due to surge and "misuse" of the meter, an issue which does not find clarification later as it is odd terminology.

It is clear from the extensive details given above that the DISCOM had made an error in enhancing the MDI which had been reversed later. The amount involved was only about Rs.4,000/- yet the consumer had to file a petition before the CGRF and go through a number of hearings till the DISCOM reversed itself. Clearly there were a number of opportunities between September to November 2011 to resolve the issues without the consumer going to CGRF. There were further opportunities to settle the matter even after the CGRF complaint was filed without waiting for the CGRF order in this regard. However, none of these opportunities were taken and the consumer did indeed have to argue the case at length, even on technical grounds, before he could convince the DISCOM to reverse its MDI decision. Clearly, effort and expenditure was incurred by the consumer during this process. During the hearing on 02.01.2013 the consumer indicated a figure of Rs.15,000/- as appropriate compensation for all the difficulties caused to him. I am inclined to agree that the consumer did indeed have to make a lot of efforts to correct an error with a relatively small financial implication of Rs.4000/- undergoing a lot of inconvenience for a simple matter which could have been much resolved even before reaching the CGRF let alone requiring an appeal to the Ombudsman. I, therefore, order an amount of Rs.5000/- may to be paid to him as compensation for the efforts he had to make before he could obtain a satisfactory resolution of his problem.

It may be pointed out that a relatively small issue of MDI reading correction required 4 or 5 sittings of the CGRF and about eight months, (including four months from last date of hearing to issue of order) before a long, eighteen page, order was issued recording the suo-moto correction made by the DISCOM. CGRF may like to assess the time spent on this case relative to other pending cases.



(PRADEEP SINGH)  
OMBUDSMAN

4th JANUARY, 2013