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Office of the Electricity Ombudsman
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)
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Appeal No. F. ELECT/Ombudsman/2013/581

Appeal against the Order dated 10.07.2013 passed by CGRF–BRPL in CG.No.78/2013.

In the matter of:

Shri Gajraj Singh - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant: Shri Gajraj Singh was present in person.

Respondent: Shri Kashmir Singh, D.G.M. (B) and Shri Devashish Shaily, Commercial Officer, attended on behalf of the BRPL.

Date of Hearing: 29.10.2013 & 13.11.2013

Date of Order : 26.11.2013

ORDER NO. OMBUDSMAN/2013/581

The Appellant, Shri Gajraj Singh, resident of D-183, Dakshinpuri, New Delhi – 110062, had filed a complaint in the Consumer Grievance Redressal Forum – BSES Rajdhani Power Limited (CGRF – BRPL) regarding compensation for non-supply of the electricity for the period 28.03.2011 to 09.03.2012, as per the DERC Supply Code & Performance Standards Regulations, 2007.

The facts of the case are that the appellant was a registered consumer of an electricity connection bearing K. No.2511N20442, having sanctioned

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load 1 KW for domestic use, installed at 19/186, first floor, Dakshinpuri Extension, New Delhi – 110062. Having twice complained of theft to BSES on phone, with no resultant action, he made a complaint on 25.06.2010 to the Public Grievance Cell (PGC) (Power Department) against one Smt. Sheela (illegal occupier) for theft of electricity by way of attaching hook (kundi) in his meter's service line. On direction of the PGC, an inspection was carried out on 28.03.2011 by the Enforcement Cell and a theft was found. A direct theft case was, however, booked against *his own electricity connection K. No.2511N2040442 (meter no.22821302) with current meter reading 6392 kWh, while mentioning Smt. Sheela as a User.* Instead of action being taken against Smt. Sheela only, the BRPL (DISCOM) disconnected his electricity supply and removed his meter. He put a lot of effort into having his electricity reconnected but due to hindrance created by Smt. Sheela this could not be done in time. After intervention by the PGC, his electricity connection was restored only on 09.03.2012 with a new meter no.21414532. He contended that this act of the BSES was illegal and that he was put to a lot of inconvenience and harassment which entitled him to heavy compensation for the disputed period, as per the Regulations, 2007.

He also argued that the connection granted to one Smt. Sheela on 15.10.2012, vide bearing CA no.150559921 (meter no.21534994) with a sanctioned load 1 KW for domestic use installed at 19/186, first floor, Dakshin Puri, was without his consent and hence invalid. Having found this to be correct, the CGRF ordered its removal on 06.06.2013. The CGRF order notes the issue with a view to bringing it to the knowledge of the DERC. It is not clear if this was done and the CGRF should clarify the position to this office in writing.

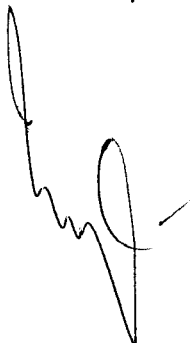
The DISCOM in its reply before the CGRF stated it was evident from the proceedings before the Hon'ble PGC that they had always made genuine efforts to install his electricity meter but the same could not be executed due to hindrance from one Smt. Sheela and lack of police assistance. So, his complaint seeking costs needed to be dismissed.

The CGRF observed in their order, at one point, that the contention of the appellant appears to be correct and may lead to heavy compensation being awarded if the DISCOM could not explain the facts. No compensation was, however, ultimately awarded although that was the main plea before the CGRF.

Now, the appellant has filed the present appeal in which he has again asked for compensation from the BSES and added that the CGRF has dismissed his appeal without passing orders on his request for compensation.

The DISCOM has opposed the appeal stating that his (appellant) present grievance has already been adjudicated before the PGC and he has applied after a lapse of almost one year only for seeking monetary compensation, as an afterthought.


Hearing was held on 29.10.2013. The DISCOM was unable to explain why the connection was disconnected for almost a year. The CGRF order also does not clarify why no compensation was ordered when the case was filed only on this ground and the order itself mentions the possibility of "heavy compensation" at an earlier stage. The DISCOM was



asked to explain the position in more detail on the date of next hearing i.e. 13.11.2013.

On 13.11.2013, the DISCOM was still unable to explain the long delay in restoring the connection of the complainant. They were also unable to explain why the complainant, who reported the electricity theft, was penalized by having his meter removed. They were unable to explain why the complainant was made to go to the PGC and the CGRF to get back his meter which should not have been removed in the first place. The DISCOM was also unable to explain how one Smt. Sheela, the alleged thief of electricity, was given a meter without an NOC from the complainant, the acknowledged owner of the property.

For all these serious lapses, which amount to a grave deficiency, and for which complainant has claimed expenses of Rs.2.2 lakhs, an amount of Rs.50,000/- is imposed as compensation and the case is closed with the direction the facts be brought to the notice of CEO, BRPL for remedial action as the complainant himself has been penalized for bringing theft of electricity to the notice of the DISCOM. A report in the matter be sent to this office on any action taken.


(PRADEEP SINGH)
Ombudsman

26th November, 2013