

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/2014/624

Appeal against the Order dated 13.03.2014 passed by the CGRF–TPDDL in CG.No.5646/01/14/NRL.

In the matter of:

Shri Dhani Ram Goyal

- **Appellant**

Versus

M/s Tata Power Delhi Distribution Ltd.

- **Respondent**

Present:-

Appellant: Shri Dhani Ram Goyal was present in person.

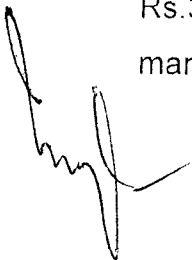
Respondent: Shri Vivek, Sr. Manager (Legal) and Shri Hari Om Sharma (Customer Service Manager), attended on behalf of the TPDDL.

Date of Hearing : 15.07.2014

Date of Order : 18.07.2014

ORDER NO. OMBUDSMAN/2014/624

This is an appeal filed by Shri Dhani Ram Goyal, R/o C-533-A, Village - Nathupura, Post Office Burari, Delhi – 110084 against the order of the Consumer Grievance Redressal Forum - Tata Power Delhi Distribution Ltd. (CGRF-TPDDL) dated 13.03.2014 in which the TPDDL (DISCOM) had been ordered to refund a certain amount deposited by him for release of a connection in the year 2000 and which had not been refunded on time. He was also granted an amount of Rs.3,000/- as compensation for harassment due to non-redressal of grievance for many years.



The appeal was filed on the ground that the compensation awarded was inadequate and that he had to make numerous efforts over a long period of time to be able to get his due.

A hearing was held on 15.07.2014 and the reply of the DISCOM was also seen. It appears that the DISCOM had taken the view that the complainant should have approached the CGRF earlier and not after a lapse of 10 years. The DISCOM pointed out that they have already refunded the amount ordered by the CGRF, including paying the compensation of Rs.3,000 through the energy bill. However, the complainant remains dissatisfied and wants an enhancement of the compensation due to the length of the period involved, the efforts that had to be made and the fact that he is a senior citizen.

During the hearing the DISCOM was asked whether any effort had been made by any representative of the company to sit with the complainant Shri Dhani Ram Goyal and try to explain him the reasons for the delay of refund and the action taken after the order of the CGRF so that the sense of dissatisfaction remaining can be removed. It was clear from the response of the DISCOM that such efforts had not been made. In fact the DISCOM has filed another written argument on 17.07.2014, two days after the hearing was held, arguing that the complainant is trying to "unduly enrich himself" and has "failed to prove the quantum of loss incurred on account of delay" in the refund of security amount. These post facto written arguments further strengthen the impression that the DISCOM was not interested in explaining their actions to the complainant and to try to ascertain what remaining dissatisfaction exists so that it can be removed. The complainant on his part had, during the hearing, referred only to his numerous attempts to obtain clarifications from the DISCOM, the expenditure he had incurred to go the CGRF 4-5 times for his hearings and the expense incurred in filing the appeal to the Ombudsman. This effort required a certain outlay of effort and money on his part which need not have been necessary had the

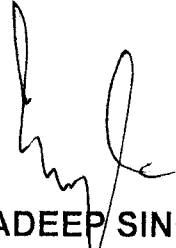
DISCOM responded promptly to his request for refund without his having to go to the CGRF.

Given the advanced age of the complainant and his lack of full-fledged literacy and detailed understanding of the way the DISCOM operates, I agree that he had to undergo a great deal of harassment for a very minor issue.

There have been earlier occasions during hearing of grievances where the DISCOM has been advised to introduce a system of communication with customers which is less bureaucratic and more personalized. This should take into account the individual characteristics of the case and of the person with the focus on satisfying the customer rather than merely observing the rules. This is not yet forthcoming and the lack of sensitivity often seen in such minor cases is unwelcome. Under the circumstances of this case, the compensation awarded by the CGRF is enhanced from Rs.3,000/- to Rs.8,000/- which amount would be adequate to cover all likely expenses and would also act as a deterrent to the DISCOM in similar cases in the future.

It is also pointed out that the DISCOM is not entitled to file written arguments after the conclusion of the hearing on a post facto basis and this should not be resorted to under any circumstances, unless asked for.

With the above orders the appeal is accepted.


(PRADEEP SINGH)
Ombudsman


July, 2014

