

OFFICE OF THE ELECTRICITY OMBUDSMAN
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)
B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057
(Phone No.: 011-26144979)

(Against the CGRF-TPDDL's order dated 03.04.2024 in MA/06/124/2023)

IN THE MATTER OF

Shri Dheeraj Pratap Sirohi

Vs.

Tata Power Delhi Distribution Limited

Present:

Appellant: Shri Dheeraj Pratap Sirohi, in person.

Respondent: Shri Indresh Kumar, Executive & Shri Ajay Joshi, AGM (Legal),
on behalf of TPDDL.

Date of Hearing: 08.05.2024

Date of Order: 09.05.2024

ORDER

1. Shri Dheeraj Pratap Sirohi, H.No.629, Pocket-2, A-10, Narela, Delhi-110040, has filed an appeal dated 25.04.2024 against the order of the Forum (CGRF-TPDDL) dated 03.04.2024 passed in MA/06/124/2023. CGRF, in its order dated 03.04.2024, declined to interfere in his prayer i.e. to be recognized as occupant or owner of the property for, want of jurisdiction.

2. In this appeal, the Appellant has requested to review the judgement dated 25.01.2024 passed by the Ombudsman. The Appellant has submitted that vide an order dated 25.01.2024, the Office of the Ombudsman declined to intervene on the request for seeking documents in respect of CA No.60009258306. The request for review is only maintainable on satisfaction of laid down conditions, which are not satisfied in this case, since there is neither any apparent error on record nor any new material for consideration.



3. He again approached the CGRF with a new request to recognize him as occupier and owner of the property before making payment against the bills raised by the Discom. The Appellant has further stated that no one else except the user who is occupier of the premises would like to pay the bills. He has, therefore, sought relief for directing the TPDDL to recognize him as an occupier since there can be no other reason, why anyone else would pay the bills. He has also requested for directions to the Respondent to restore the electricity supply immediately. He also states that use of electricity bill as address proof can permit fake identities. Intervention is also sought in respect of the role of TPDDL which assigns duty to pay for the bills while taking away all the rights from the customer and force them to pay, should be categorized as extortion.

4. During the course of hearing on 08.05.2024, the Appellant reiterated his prayer to be declared either owner or occupant of the property. When Appellant was asked in what capacity he is residing in the subject premises, and also, to provide any documentary proof in support of his contention, the Appellant could not respond convincingly. He also referred to disconnection of electricity supply on account of non-payment of dues and sought restoration of electricity supply.

5. In rebuttal, Representative appearing for Respondent mentioned that the last payment was made on 29.07.2023, since then Appellant was not paying electricity bills of actual consumption. His electricity supply was disconnected in March-2024 due to non-payment and at present outstanding dues are Rs.4,520/-. However, Representative agreed to restore the electricity supply within 24 hours, if the payment of outstanding dues is received by the Discom.


6. The matter has been carefully considered. Every electricity bill expressly states on the back page that, "*This electricity bill is only for electricity supply to the premises occupied by the consumer and should not be construed as having bearing on the rights or titles over the premises*". There is no such provision under DERC (Forum for Redressal of Grievances of the Consumers and Ombudsman) Regulations, 2018, which empowers either the CGRF or the Ombudsman to recognize any individual as occupant or owner of the property since such declaration vests in the domain of the Civil Court under the Civil Procedure Code. Electricity bill is only in respect of consumption of electricity by the user in the premises. Disconnection of electricity is resorted to in accordance with the Regulation 50 of DERC Supply Code, 2017 on account of non-payment of the dues, restoration of which could take place upon payment of the arrears / dues within the time period as laid-down, clearly explained in order dated 24.09.2018 of DERC.



7. It is made clear to the Appellant that the Electricity Ombudsman has no jurisdiction to adjudicate on the right of ownership or possession since power vests in the civil court.

8. In view of the express provisions of law, there is no merit in the appeal in so far as the request for declaring him as owner / occupier. However, Discóm is directed to restore electricity within 24 hours upon payment of dues / arrears.

9. The appeal is, hence, disposed.


(P.K Bhardwaj)
Electricity Ombudsman
09.05.2024