

(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 – cum – Fax No.011-26141205)

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(Against the CGRF-TPDDL's order dated 27.08.2018 in CG No.7871/03/18/KPM )

Shri Radhey Shyam

- Appellant

Tata Power Delhi Distribution Ltd. - Respondent

Appellant : Shri Radhey Shyam in person

Respondent : Shri Harshendu Kumar, Sr. Manager (Legal), Shri Rajeev Kumar, Manager (F), authorized representatives

Date of Hearing: 05.10.2018

Date of Order: 05.10.2018

1. The Applicant, Shri Radhey Shyam, a senior citizen of around 80 years of age, has filed the instant representation against the CGRF-TPDDL's order dated 27.08.2018 seeking redressal of his grievances, which are appended in the succeeding paragraphs:

- I. He is not in agreement with the order passed by the TPDDL to change the meter from the existing electromechanical meter with a static meter. The existing law does not make it obligatory for him to get it changed as is being insisted upon by the TPDDL (Discom). He further contended that he had in the past got the said meter checked by the authority empowered to do so and there was no irregularity found in his meter, hence, he should not be forced upon to change the meter.
- II. The premise, he is in occupation consists of two basements and he claims his right to get domestic meters for both the basements separately. However, the Discom is asking for commercial meter to be installed in his basements whereas he is insisting upon installation of normal domestic meters for the two basements separately.

2. The Applicant appearing, in person, contended that despite number of hearings before the CGRF, his grievances were not addressed properly and merely because he was absent on the last three to four hearings, the case was decided '*ex parte*' without going into either merits of the case or any question of law. He was handicapped in coming before the



Ombudsman since it was not clear to him as to why his application had been rejected. He was vehement in his submission that if somebody could have checked that his daughter was indisposed condition and he was taking care and attending to her in house who has unfortunately died on 23.07.2018. During the same period his application was disposed off as 'ex parte' without assigning any reason whatsoever. He, further, contended that the records will reveal that he had been regular in attending the hearings but for the last hearings he could not attend since his daughter was indisposed due to medical reasons.

3. Shri Harshendu Kumar, Sr. Manager, on behalf of respondent was very candid in submitting that there was no speaking order and in the absence of speaking order both the parties were handicapped in making submission before the Ombudsman. However, he submitted that in so far as the installation of static meter is concerned, it is mandatory requirement and accepted by one and all in the area where the applicant is also residing.

4. Shri Harshendu Kumar, Sr. Manager, on behalf of respondent, further, submitted that the majority of meters have been changed from electromechanical to static type in Delhi, in accordance with Clause 4 (1) of the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006 dated 17.03.2006 expressly provides, "all interface meters, consumer meters and energy accounting and audit meters shall be of static type" with sub-clause (2) further specifying that "meters not complying with these regulations shall be replaced by the licensee on his own or on the request of the consumer. The meters may also be replaced as per the regulations or directions of the Appropriate Commission or pursuant to the reforms programme of the Appropriate Government."

5. About the installation of meters for two basements, Shri Harshendu Kumar, Sr. Manager stated that he was not aware of any such complaint or demand of the applicant and the records are also silent on these aspects.

6. I have heard both the parties and I have perused the entire records pertaining to the instant representation. There are number of contentious issues, which require further deliberation and learned CGRF would be most appropriate in handling and enquiring into the said grievances. I make it clear that I am not challenging the wisdom of the learned CGRF nor I am going into merits of the case, I leave it to the CGRF to give a fair chance to the applicant in order to redress his grievances in accordance with law.

7. Viewing the case in its entirety and considering the case of the applicant who is a senior citizen, was at the material time looking after his indisposed daughter and giving medical care, the matter could be remanded to the CGRF for better deliberation of the case. It is unfortunate for me to have remanded the case though in normal circumstances, I may not and I would not have done so.

8. Orders accordingly.

  
Rakesh Kumar Mehta  
Ombudsman  
05.10.2018