

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

CG-193/6/2005

M/s K.S. Pankaj Khurana,
F-740, Ganesh Nagar –II,
Shakarpur,
Delhi- 110092.

.....Complainant

Versus

BSES Yamuna Power Ltd.
Through its: **CEO**,
Shakti Kiran Building,
Karkardooma,
Delhi-110092.

.....Respondent

Coram :

Sh. Berjinder Singh, Chairman & Sh. K. Venugopal, Member .

Appearance :

1. Sh. Rarry Mangsatabam, Counsel for BYPL.
2. Ms. Neeta Mutum, Counsel for BYPL.
3. Sh. Naveen Vats.
4. Sh. Naveen Kumar, Sr. Officer (Legal) BYPL.

ORDER

(Date of Hearing : 28.3.2006)

(Date of Order : 07.4.2006)

1. The instant case file has been referred to the Commission by the Consumer Grievance Redressal Forum of BSES Yamuna Power Ltd. for imposition of appropriate penalty on the Licensee. As per records available in this Commission, the facts which have come forth for consideration are that the Complainant had applied for removal of meter on 12.5.2004 and the said meter was removed, presumably, on 7.6.2004. It is the version of the Complainant that the last meter reading at the time of removal of meter was 187470.

2. It is stated by the Complainant that he had made all the payments according to the last meter reading and thereafter when he again applied for reconnection of the electricity supply, the Licensee made out a case that there were pending dues from the old meter on the basis of the last meter reading which was shown as 197470.

3. The Complainant contented that he had already made all the payments when the meter was removed. However, the Licensee contests that the amount is still due against the removed meter.

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4. During the proceedings before the Forum, the Licensee was unable to exhibit the original record and state as to whether the last meter reading was actually 197470. Drawing an adverse inference from the inability of the Licensee to produce records, the Forum upheld that the last meter reading was to be taken as 187470 and accordingly, it was held that the Licensee has wrongfully denied reconnection of electricity supply. While upholding this view, the Forum had directed the Licensee to pay a compensation of Rs.5000/- and had forwarded this case to the Commission for imposition of appropriate penalty.

5. Sh. Rarry Mangsatabam, Counsel appearing on behalf of the Licensee has stated that the meter change report was contested in this matter and that the Forum has failed to appreciate the evidence placed before them. It is also stated by the Counsel for the Licensee that the appropriate adjustments have been made as per the directions of the Forum and till this date, there has been no appeal preferred on the order of the Forum.

6. None has appeared on behalf of the Complainant. However, the Counsel for Licensee has been heard in detail. The way in which this case has been handled by the Licensee speaks very poorly of the manner in which the staff of the Licensee have been conducting themselves with the consumer. The meter when removed requires certain procedures to be followed necessitating the recording of the details of the meter as on the date of removal of the meter etc. These statistics are to be duly recorded in the presence of the consumer or his authorised representative and it is further necessary for the Licensee to maintain these records. It appears that the guidelines and the procedures, as established, have not been circulated to the lower level staff, who are actually operating and interacting with the consumer on the field. This is not only creating a friction between the Licensee and the consumer but is also showing the Licensee in poor light.

7. The Commission is of the view that it is a clear case where the Complainant has been wrongfully denied the connection. Considering the fact that the consumer had already been compensated by the Forum, the Commission is of the view that a token penalty of Rs. 5000/- be levied on the Licensee, which should be deposited by them with the Commission, within 10 days of issue of this Order.

8. Ordered accordingly.

Sd/-
(K. Venugopal)
Member

Sd/-
(Berjinder Singh)
Chairman