

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

Complaint No. 193/05/06.

In the matter of :

Kamal Singh,
1/2253-A, Mandoli Road,
Ram Nagar, Shahdara,
Delhi-110032.

.....**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 &
Sh. R. Krishnamoorthy, Member.**

Appearance :

1. Sh. Kamal Singh, Complainant.
2. Sh. Hemant Gupta, Advocate on behalf of the Respondent.
3. Sh. Shobha Dev, B. Manager, BYPL.
4. Sh. S.L. Khular, CO, BYPL.
5. Sh. Naveen Kumar, Sr. Officer (Legal), BYPL.
6. Sh. Ashutosh Gupta, Advocate on behalf of the Respondent.

ORDER

(Date of Hearing: 19.9.2006)

(Date of Order: 03.11.2006)

1. The complaint has been forwarded to this Commission by the Consumer Grievance Redressal Forum (CGRF), BYPL. The CGRF vide its order dated 10.7.2006 has recommended imposition of an appropriate penalty upon the Respondent i.e. BSES Yamuna Power Ltd. under Regulation 36 of the DERC (Performance Standards – Metering & Billing) Regulations, 2002.

2. Sh. Kamal Singh, the Complainant lodged a complaint before the CGRF that he had applied for a new electricity connection on 8.9.2004 but the connection was not installed even after expiry of a period of nearly two years.

3. The factual aspects were looked into by the CGRF. The Respondent in their reply before the CGRF had stated that the consumer had provided a wrong address to the Respondent where the connection was to be installed and further, the representation sent by the Complainant was also addressed to the

wrong officer. The CGRF set aside the stand of the Respondent regarding providing wrong address, etc., and recommended this case to this Commission for imposition of an appropriate penalty under Regulation 38 of the DERC (Performance Standards – Metering & Billing) Regulations, 2002.

4. The matter was heard by the Commission. Shri Hemant Gupta, Counsel for the Respondent has submitted that the meter has been installed and the connection energised at the same place where the new connection was applied after deposit of demand charges. He also tendered an unconditional apology and has undertaken to remain more vigilant in future. Sh. Gupta, Counsel has prayed that no penalty may be imposed against the Respondent.

5. The Complainant, appearing in person, submitted that he has suffered a lot due to the negligent attitude of the Respondent. Therefore, an appropriate penalty may be imposed on the Respondent.

6. The Commission after hearing the parties and considering the facts of the case placed before it, including the recommendations of CGRF, is of the considered view that there is gross violation of not only Regulation 38 of DERC (Performance Standards – Metering & Billing) Regulations, 2002 but also of Section 43 (1) of the Electricity Act, 2003. The Respondent has not been able to show any cogent ground which lead to the delay in energizing the connection. After considering all aspects of the case minutely, the Commission is of the view that the Respondent has been negligent and failed to discharge its duty diligently. There is, therefore, a clear case to impose penalty against the Respondent for its inaction and negligent attitude. In this case, the complainant also deserves to be suitably compensated for the inaction of the Respondent and harassment caused to him by an unprecedented delay in installing the meter and energizing the connection.

7. In view of the facts placed before this Commission, a penalty of Rs. 5000/- is imposed on the Licensee for the delay in energising the connection and in addition, the Applicant is awarded a lump sum compensation of Rs.5000/- for the unnecessary harassment caused to him by the delay in energising the connection. The Licensee shall submit a compliance report of this Order within 20 days from the date of issue of this Order.

8. Ordered accordingly.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(R. Krishnamoorthy)
MEMBER

Sd/-
(Berjinder Singh)
CHAIRMAN