

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

**CG-213/6/2005**

Sh. Mahadev Prasad,  
G-70, Old Seema Puri,  
Delhi.

.....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 Kumar, Sr. Officer (Legal) BYPL.

**ORDER**

(Date of Hearing : 28.3.2006)

(Date of Order : 07.4.2006)

1. This case 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 for breach of provision of the Electricity Act, 2003.

2. The brief facts which have come before this Commission based upon the records sent by the Forum are that, the Licensee had revised the bill of the complainant on the order of the District Consumer Redressal Forum. The bill, which was served upon the Complainant, was duly paid but due to software problems, the payment was not exhibited in the bill of the consumer and therefore, it continued to be reflected as arrears.

3. The Complainant meanwhile applied for a new connection which was refused on the account that there were pending arrears.

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4. After the Complainant approached the Consumer Grievance Redressal Forum, the Licensee corrected the mistake and they raised a demand note amounting to Rs.1850/- to the applicant. It was when this demand note was raised, the Applicant made an objection that the said demand note should exclude 'Service Line Charges' as the service line was already in existence.

5. The Forum in its order upheld that the Licensee was at fault for not energising the connection well in time and therefore, directed the Licensee to pay a compensation of Rs.2000/-.

6. Sh. Rarry Mangsatabam, Counsel for the BYPL has stated that the matter was mutually settled with the consumer before the Forum and the original letter is also placed on record by the learned Counsel for the Licensee. The facts of the case are not disputed. The Counsel also admitted that the demand note was later revised by excluding the 'Service Line Charges' and a fresh demand note of Rs.660/- was issued to the consumer.

7. None appeared on behalf of the Complainant and the Counsel for the Licensee has been heard in detail. It is quite apparent that the operating staff of the Licensee have dealt with the consumer in a very casual and irresponsible manner. It is not the duty of the consumer to inform the Licensee that the Service Line Charges are not to be levied in a case where such application is made. The Licensee should himself be aware of his own system and should know before raising any demand note whether there is any Service Line in the premises or not. It is believed that before raising a demand note, it is expected from the Licensee to inspect the premises. If that has been done, then it is beyond comprehension as to why Service Line Charges were included in the original demand note.

8. It is revealed from the reply of the Licensee that the consumer had applied for a new connection on 01.4.2005 and that the consumer had cleared all his dues on 8.2.2005 which had not been taken into record. This fact has been admitted by the Counsel for the Licensee.

9. It is also stated in the written reply of the Licensee that the consumer had approached the Consumer Grievance Redressal Forum on 27.6.2005 and that necessary changes had been made in the billing software. Thereafter, on 8.7.2005, the revised bill showing a nil amount as outstanding, was handed over to the consumer. It is stated that the order of the Forum dated 22.8.2005 has been fully complied with. From these facts, it is clear that it took around 8 months for the Licensee to energise the new connection to the consumer.

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10. Considering the facts of the case and the fact that the consumer has already been compensated to a tune of Rs.2000/-. The Commission considers that a token penalty of Rs. 8000/- be levied upon the Licensee for violation of section 43 of the Electricity Act, 2003. The penalty shall be deposited with the Commission within 10 days of the issue of this Order. Further, the Commission advises the Licensee to educate its operating staff about the correct procedures and ensure that they are strictly adhered to.

11. Ordered accordingly.

Sd/-  
(K. Venugopal)  
Member

Sd/-  
( Berjinder Singh)  
Chairman