

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

**CG/2/2005/**

Principal,  
Govt. Co-Ed Sr. Secondary School,  
Sector B-1, Vasant Kunj,  
New Delhi-110070.

...Complainant

**VERSUS**

BSES RAJDHANI POWER LTD.  
Through its : **CEO**  
BSES Bhawan, Nehru Place,  
New Delhi-110019.

.....Respondent

**Coram :**

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

**Appearance :**

1. Sh. R.S. Malik
2. Sh. R.C. Mehta, DGM, BSES.
3. Sh. S.C. Sharma, Addl. G.M.
4. Ms. Renu Antony, Add. Manager.

**ORDER**

(Date of Hearing: 08.11.2005)

(Date of Order : 24.01.2006)

1. This complaint was forwarded by the Consumer Grievance Redressal Forum of BSES Rajdhani Power Ltd. mentioning that the Licensee has committed gross violation of the Electricity Act, 2003 and that this case is fit for imposition of penalty as per the provisions of the Act.
2. The brief facts of this case as has been brought out from the records of the Forum are that the Complainant had deposited an amount of Rs.1,85,931/- on 13.4.2004 towards the Service Line charges and Advance Consumption Deposit vide their letter dated 12.4.2004 for installation of new connection at the premises of Govt. Co-Ed. Sr. Sec. School, Sector B-1, Vasant Kunj, New Delhi-110070.
3. It is borne out of the records that the Complainant had given several reminders to the Licensee for energising the connection, which ultimately was done on 9.7.2005 after 15 months from the date of deposit of the cheque on 13.4.2004.

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4. The Consumer Grievance Redressal Forum for the BRPL has established the facts that there has been a delay in installation of the connection by about 15 months.
5. On the Show-Cause Notice served upon the Licensee, the Licensee submitted a brief reply, wherein it was stated that the application for new connection was earlier accepted by the Business Manager, Vasant Kunj, who had transferred the case file to the Key Consumer Cell and due to some internal dislocation of the file, the matter could not be pursued by the Licensee.
6. The Licensee in this case does not dispute the facts. During the course of the hearing Sh. R.C. Mehta on behalf of BSES Rajdhani Power Ltd., tenders an unconditional apology and submits that this was an unintentional mistake, which was due to misplacing of the file at the Key Consumer Cell.
7. During the hearing, the Licensee was also directed to file a report, within two days of the hearing, bringing out all the cases where the licensee has not been able to energise the electrical connection within the time prescribed under section 43 of the Electricity Act, 2003.
8. After hearing the representatives of the Licensee, the Commission has opined that the Licensee has a responsibility under the Act to provide economical, efficient and reliable service to the consumer. The Licensee is bound by section 43 of the Electricity Act, 2003, to provide connection within one month failing which the Licensee is liable to pay a penalty, which may extend up to Rs.1000/- per day of default.
9. The fact brought before this Commission are glaring and the Licensee cannot escape from the liability under the Act. The Licensee has accepted the delay and could not give any plausible reasons/justification for the delay. The fact remains that the Licensee has not energised the electricity connection to the applicant for a period of 15 months. It is not merely the legal duty of the Licensee under the Act to provide the electricity connection within the stipulated time but there is also a social obligation and the fact that a connection was denied to a school, for so long is absolutely unjustifiable. The students of the aforesaid school unfortunately had to bear the brunt of the apathy of the Licensee.

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10. Furthermore, the Licensee had assured the Commission that they have put in place suitable system to monitor energisation of new connection and such delays will not occur in future.

11. The DERC (Performance Standards – Metering and Billing) Regulations, 2002, envisages in Regulation 38 that a penalty of Rs.500/- shall be payable by the Licensee for the delay in energising the connection. However, Section 43(3) of the Electricity Act, 2003 provides for a penalty which may extend to one thousand Rupees for each day of default. The Commission is in the process of finalising the Supply Code and Performance Standards in line with the provisions of the Electricity Act, 2003. Keeping all these developments in view, for the lackadaisical conduct of the Licensee in this particular case involving a Govt. School, the Commission treats this as a violation of the Act under Section 142 and imposes a penalty of Rs.1,00,000/- (Rupees one Lakh) which shall be deposited by the Licensee within 10 days of receipt of this Order.

12. Ordered accordingly.

Sd/-  
(K. Venugopal)  
MEMBER

Sd/-  
(R. Krishnamoorthy)  
MEMBER