

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

CG No.353/05

In the matter of:

Smt. Rekha Rathi,
29, Sadhna Enclave,
New Delhi-110017.

...Complainant

VERSUS

BSES Rajdhani Power Limited,
Through its: **CEO**
BSES Bhawan,
Nehru Place,
Delhi-110019.

...Respondent

Coram:

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

Appearance:

1. Sh. Devendra Seth, AVP (B), South -2, BRPL;
2. Sh. Avinash Kumar, DGM, Hauz Khas, BRPL;
3. Sh. Sai Krishna Prabha, Sr. Manager, BRPL.

ORDER

(Date of Hearing: 14.08.2008)

(Date of Order: 26.08.2008)

1. The present complaint was received from the Office of the Electricity Ombudsman vide order dated 03.01.2007. The gist of the matter is that the Appellant Smt. Rekha Rathi had three-phase electricity connection (domestic purpose) with sanctioned load of 20 kw. The Appellant kept on receiving provisional bills till August, 2005 and then, finally, she received a bill for Rs. 21,03,807.65 in August, 2005.
2. The Appellant approached the CGRF against the exorbitant demand of Rs. 21,03,807.65. During the pendency of the complaint before the CGRF, the Respondent had revised the bill and reduced the amount from Rs. 21,03,807.65 to Rs. 4,66,820.06. Accordingly, the Appellant made the payment of Rs. 3,50,000/- in November, 2005 and Rs. 50,000/- on 04.02.2006. Thereafter, the Respondent gave a revised bill of 'nil' amount to the Appellant. The CGRF closed the matter as settled on 17.03.2006.

3. Once the case was closed by CGRF, the Appellant received a bill of Rs. 1,28,987/- in the month of April, 2006. The Appellant approached the CGRF again against the said bill on the ground that the Complainant had already been given the bill for 'nil' amount and they cannot raise a further bill of Rs. 1,28,987/- in the month of April, 2006.
4. The CGRF while disposing of the complaint of the Appellant vide its order dated 10.08.2006 made her liable to pay an amount of Rs. 66,820.06, being the balance amount from the total bill of Rs. 46,6820.06. This order was issued by CGRF at a stage when the matter was already closed vide its earlier order dated 17.03.2006 after she paid an amount of Rs. 4,00,000/- and a bill of 'nil' amount was given to her.
5. The Ombudsman vide its order dated 03.01.2007 set aside the order of the CGRF passed on 10.08.2006 and also imposed a penalty of Rs. 11,000/- against the DISCOM in terms of Regulation 42 of the DERC (Performance Standards – Metering & Billing) Regulations, 2002 which was deposited with the Commission on 25.01.2007.
6. The matter was earlier listed for hearing before the Commission on 24.04.2007 where some important issues were raised which are as under:
 - (i) Why the provisional bills continued for 3 ½ year?
 - (ii) Why no action was taken on the repeated requests of the Complainant?
 - (iii) Why to obtain the correct bill based on the actual consumption the Complainant had to knock the doors of CGRF and the Ombudsman?
 - (iv) Why an exorbitant bill for over Rs. 21 Lakh was issued? Who was responsible for it and later on, on what basis the amount was reduced to Rs. 4,66,820.06?
7. The Commission vide its Order dated 08.05.2007 had directed the Respondent to probe into the matter and take suitable action against the erring officials and submit a report to this Commission within one month from the date of the Order. The Respondent was also directed to take suitable remedial measures to avoid such instances in future.
8. In compliance of the order dated 08.05.2007, the Respondent submitted a report main features of which are as under:

- (i) Against the electricity connection no. 25510H040008 installed in favour of the Complainant for a total load of 20 kw on three phase system, three numbers single phase meters were installed since the DVB period which were subsequently replaced with one 3 phase meter.
 - (ii) Due to improper data being fed in the system, the consumer continued to get provisional bills against the remaining two single-phase meters also, which had been merged in one meter.
 - (iii) During the period from April, 2005 to April, 2006, one Mr. Vaibhav Bansal who was the incharge for audit of said case was found liable for discrepancies, so a departmental enquiry was initiated against him in January, 2006 but he left the job in April, 2006.
 - (iv) The Complainant had availed the LPSC Waiver Scheme in February-March, 2007.
 - (v) The consumer had paid the total demand of Rs. 1,34,290/- in the month of January, 2007.
9. Shri Devendra Seth, AVP (B), and Shri Avinash Kumar, DGM, who represented the Respondent, BRPL, submitted that the provisional billing continued due to a software related systemic error which was identified and corrected afterwards. They, however, admitted the lapse on their part.
10. On hearing the submissions of the Respondent's representatives and order/observations of the Ombudsman, it becomes quite evident that the complainant had to knock the doors of CGRF/Ombudsman just to seek her rightful claim. The correct revised bill was issued to her only when she approached the CGRF. The way entire case has been handled reflects very poorly about the functioning of the Respondent DISCOM and its callous attitude towards the complainant, which continued till her grievance was redressed by the Ombudsman. It is unfortunate that being a lady she had to run from pillar to post to seek justice and thus undergo a lot of harassment because of the insensitive attitude of the Respondent Licensee. The Respondent Licensee admits its lapse but that does not absolve him and calls for compensation to atleast compensate her partially for the mental harassment she had undergone. The Commission awards a compensation

of Rs. 30,000/- in favour of the Complainant which shall be paid to her and compliance reported to the Commission within 30 days from the date of this order. The Respondent Licensee must be sensitive towards the consumer problems, take immediate remedial measures and ensure that such instances do not recur in future.

11. Ordered accordingly.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(Berjinder Singh)
CHAIRMAN