

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

Ref. F.7(24)/DERC/2005-06/394/

**Appeal No. F.Elect/Ombudsman/2005-06/20**

Shri Triloki Nath Wanchoo,  
C-76, Anand Vihar,  
Delhi-110092.

.....Complainant

**VERSUS**

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

.....Respondent

**Coram :**

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

Appearance :

1. Sh. T.N. Wanchoo.

**ORDER**

(Date of Hearing: 16.11.2005)

(Date of Order: 24.01.2006)

1. The instant application, expressing the grievance of the applicant, has been forwarded by the Electricity Ombudsman after hearing the matter in detail. The Electricity Ombudsman also passed an order on the issues raised by the Applicant on 29.7.2005.

2. The limited issues on which this application is considered by the Commission is that, an amount of arrears of Rs.2624.84 has been shown in the bill of the applicant, as outstanding, since the bill of March, 2003 onwards. The Electricity Ombudsman has held in its order of 29.7.2005 that the arrears as appeared for succeeding 16 months after March 2003 and that the applicant deserves a compensation under Regulation 13A of Delhi Electricity Regulatory Commission (Performance Standards – Metering and Billing) Regulations, 2002.

3. The Electricity Ombudsman in its order of 29.7.2005 has already announced a compensation of Rs.262 + Rs.393, in terms of sub-clause (ii) and (iii) of the Regulation 13A of the above mentioned Regulations.

.....Contd.

4. The Electricity Ombudsman has forwarded this case to the Commission for the purpose of determination of quantum of compensation payable in terms of Regulation 13A (vi) of the aforesaid Regulations.

5. The Regulation 13(A) clause (vi) reads as under :-

"In case the arrears, as mentioned in clauses (ii) and (iii) appear in a bill for the third time or thereafter, the consumer shall be entitled to make a petition to the Commission and the Commission shall decided the compensation to be made to such consumer on case-to-case basis".

6. In the instant case, the facts speaks for itself and the Respondent has not made any averments challenging the facts of this case. The reply submitted by the Respondent also states that the mistake was located by the Respondent and the arrears amount has now been credited against the consumer account in the month of July, 2004 and the LPSC levied on the said amount is also written off. The Respondent has also submitted that as per the Order of the Electricity Ombudsman dated 29<sup>th</sup> July, 2005 the compensation @ 10% i.e. Rs.262/- for the first month and a compensation @ 15% of the amount i.e. Rs.393/-, for the arrears appearing in the bill for the second time, has already been given to the consumer.

7. The matter was listed for hearing on 16.11.2005. None appeared on behalf of the Respondent Licensee. Considering the facts of the case, it is clearly established that there has been an error on the part of the Respondent Licensee and the same has not been disputed by the Respondent Licensee.

8. Since the Electricity Ombudsman has already awarded a compensation of Rs.655/- for two provisional bills which has been duly paid and considering the facts that the arrears appeared as many as 15 times without any justification, the Commission is of the opinion that it would be appropriate, in the present circumstances of the case, that the consumer is compensated by a lump-sum amount of Rs. 6000/- for the deficiency in service and for the violation of the Regulations of the Commission. The Licensee is also advised to be circumspect in like situations. Since the Licensee has an elaborate computerised system for billing, it is expected that the billing of the consumer should be done accurately and without any discomfort to the consumers and if any such errors are noticed they should be promptly rectified.

9. Ordered accordingly.

Sd/-  
(K. Venugopal)  
MEMBER

Sd/-  
(R. Krishnamoorthy)  
MEMBER