

OFFICE OF ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057

(Phone-cum-Fax No.: 011-41009285)

Appeal No. 06/2023

(Against the CGRF-BRPL's order dated 21.02.2023 in Complaint No. 160/2022)

IN THE MATTER OF

Shri Ashok Kumar

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Shri Ashok Kumar, in person.

Respondent: Shri S Bhattacharjee, Sr. Manager, Shri Parveen Bajaj,
AFO, Shri Arav Kapoor and Ms. Komal Gupta, Advocates,
on behalf of BRPL

Date of Hearing: 22.05.2023

Date of Order: 23.05.2023

ORDER

1. Appeal No. 06/2023 has been filed by Shri Ashok Kumar, R/o A4C/115, Janakpuri, New Delhi - 110058, against the CGRF-BRPL's order dated 21.02.2023 passed in C.G. No. 160/2022.

2. The instant case is that Shri Ashok Kumar, the Appellant, made a complaint on 30.08.2022 vide Complaint No. 22083000742 to the Respondent regarding replacement of burnt meter (CA No. 102898323) and shifting of another meter (CA No. 102908533) from inside of his premises to outside. On 31.08.2022, the officials of the Respondent visited the premises and disconnected the burnt meter and provided direct electric supply. The officials of the Respondent visited the site on 10.09.2022, for relocation of the meters but they refused to install the meter at proposed location suggested by the Appellant, as the height was more than the prescribed in the DERC's Supply Code and also the presence of an IGL pipeline in



the vicinity of the proposed location. When the Appellant was not ready for installation of both the meters at the appropriate height as per DERC's guidelines, a notice under Section 163 was issued by the Respondent on 13.09.2022.

3. The team again visited the site on 17.09.2022 and reported that the Appellant wanted to install both the meter out of the house at the height of approximately seven feet and also at a place where there is presence of an IGL pipeline. Subsequently, the officials of the Respondent visited the Appellant's premises on a number of occasions for shifting of meter but again and again he did not agree for meter replacement at the appropriate height. Electricity supplies were disconnected on 21.09.2022, as there was no appropriate reply to the notice by the Appellant. On his visit to the Respondent's office, supply of CA No. 102908533 was restored on the same day. However, the second connection bearing CA No.102898323 was restored on 27.09.2022 while replacing the meter. It was undertaken as the complainant argued to get the meter installed at same old location inside the house. Further, the Appellant contended that he had received two provisional bills on 22.09.2022 and 29.09.2022 for Rs.4,610/- and Rs.6,720/- respectively and finally, only Rs.462.90 was payable on 02.11.2022. This, according to him, is unfair trade practice.

4. Not satisfied with the response of the Respondent, the Appellant filed a complaint before the CGRF-BRPL and stated the following:

- (i) When will the shifting of meters take place?
- (ii) Why notice served?
- (iii) Why power supply disconnected of meter bearing CA No. 102908533.
- (iv) Why two provisional bills generated for Rs.4,610/- on 22.9.2022 and Rs.6,720/- on 29.09.22 and finally only Rs.462.90 was payable.
- (v) When the IGL pipeline has been removed by the concerned authority, then why the Discom refusing to shift the meter.
- (vi) He also strongly opposed the allegations made by the Customer Care of the Respondent in their reply on 30.09.2022 and 26.10.2022.

The Appellant also stated before the CGRF-BRPL that the Respondent raised the issue of height, while in the neighbourhood all the meters are installed at the same height. The Appellant also levelled allegations against the official of the Respondent, namely Shri Vikram, who has present before the Forum.



5. The Forum observed that the Appellant wanted to install the meter at a specific location and not ready to listen to the pleas of the Respondent. Regarding provisional bills, the Respondent corrected the same and was duly paid by the Appellant. The Respondent further stated that the height where the Appellant wants to place the meter is more than six feet and it will not be possible for the Meter Reader to take the reading and it is also a safety and security hazard.

The Forum also observed that the complainant was very agitated and aggressive in his demeanor and not ready to understand the reasons given by the Respondent and was always in an aggressive mood. The Forum further stated that if meters are installed at a specific height in the neighbourhood in violation of norms, the Forum cannot approve of it. So far as the grievance regarding disconnection of electricity on 21.09.2022, the Appellant himself admitted that the electricity disconnected on 21.09.2022 at 5 PM and was restored at 8.30 PM and the issue stood resolved.

6. The Forum, in its order dated 21.02.2023 directed to the Respondent to keep making efforts to ensure that the meters gets installed at a height within parameter of safety and norms of meter installation.

7. Aggrieved from the order of the Forum, the Appellant preferred this appeal and reiterated the same grounds and prayer as before the Forum. Briefly, his main grievance is about non-shifting of meter at the place of his choice and compensation on account of harassment.

8. The appeal was admitted and taken up for the hearing on 22.05.2023. During the hearing, both the parties were present. An opportunity was given to both to plead their case at length.

9. During the hearing, the Appellant submitted chronology of events, also stating that he had paid all bills received and that he should have the meter installed at a place requested by him. He also clarified that after replacement of the IGL pipeline on 05.10.2022, necessary information was provided to the Respondent for further action, at their end.

10. In their response dated 22.03.2023, the Respondent has submitted that upon receipt of a complaint about Meter Burnt (CA No. 102898323) on 30.08.2022, a complaint was registered and direct supply was restored on the same day. Meter replacement order was generated and the Field Executive visited the site on 10.09.2022, when the Appellant refused to get the meter replaced and proposed



shifting of the meter outside the premises at a certain place. The Appellant was informed that in the light of the Meter Management Group's (MMG) instructions dated 16.07.2021, the meter can be installed at a height between 0.8 m to 1.8 m, but the place suggested was approx. 7 ft.. As the Appellant was not willing for installation of the meter at a height within 6 ft., he was informed to provide the space suitable for installation of meter on 12.09.2022 and thereafter a notice u/s 163 of Electricity Act was issued on 13.09.2022, as no response for providing another suitable place was received. Electricity was disconnected on 21.09.2022 as during the visit on 17.09.2022, the Appellant refused to get meter released at a particular height (outside) as per the provisions. On 29.09.2022, the electricity meter was installed at the existing place and electric supply was restored. Since the Appellant was insistent in his demand for installation of meter at the proposed place, he was informed that if he wants electricity meter in that space, he shall have to install a meter box as per Regulation 29(2) of DERC Supply Code, 2017. The installation of the meters at the place proposed by the Appellant was not feasible due to safety constraints.

11. During the course of hearing, the Appellant stated that the two meters in question were installed at ground and first floor of the premises. The connection at first floor stood in the name of Shri Partap Singh, a distinct relative, from whom he had purchased the property. However, the connection had not been transferred in the name of the Appellant for more than a decade, although he is the occupant. He also stated that a number of meters in nearby premises were installed at heights more than 7 ft. and in some cases at even 10 ft.

12. For resolving the issue raised, the Appellant was offered three options, namely;

- i) Continuation of meters at the existing location;
- ii) Shifting of meters on electric pole outside with display unit installed inside the premises;
- iii) Construction of a platform 1' x 3' x 1' by the Appellant in front of the proposed location for meters at the height of 7 ft., for making it accessible for taking readings.

The options were, however, not acceptable to the Appellant.

13. Upon consideration of the rival contentions, it appears that the Appellant is unable to provide a safe and suitable space for shifting of the electricity meter despite the opportunities given. The unwillingness of the Appellant to install a meter box as contemplated in Regulation 29(2) of DERC's Supply Code, 2017, and on account of




the absence of safe space for installation of the electricity meter provided by the Appellant, the shifting of the meter to the proposed place, as suggested by the Appellant is not feasible.

14. This Court accordingly directs as under:-

- (a) The appeal is dismissed as devoid of merit.
- (b) The Appellant is directed to take steps for transfer of connection on the first floor in his own name as occupant and user of electricity supply. Presently, the connection stands in the name of Shri Pratap Singh. The above action be initiated within next 15 days.
- (c) CEO of the Respondent (Discom) is directed to have a survey/enquiry into the connections in nearby areas in A4C, DDA Flats, Janakpuri, installed beyond the height of 1.8m as stipulated in DERC's Supply Code, 2017 and Meter Safety norms for corrective action.
- (d) Action taken report by the Respondent be submitted within four weeks of the issue of order.

The appeal is disposed off accordingly.


(P.K. Bhardwaj)
Electricity Ombudsman
23.05.2023