

**OFFICE OF ELECTRICITY OMBUDSMAN**

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)  
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**Appeal No: 56/2024**

(Against the CGRF-TPDDL's order dated 29.10.2024 in CG No.137/2024)

**IN THE MATTER OF**

Shri Chur Mal Bansal

Vs.

Tata Power Delhi Distribution Limited (TPDDL)

**Present:**

Appellant: Shri Chur Mal Bansal, in person.

Respondent: Shri Ajay Joshi & Shri Vivek, AGM (Legal) and Shri Nikunj Gupta, AGM, Shri Sanjay Kumar Gupta, Senior Manager and Shri Rajesh Gupta, Manager on behalf of the TPDDL

Date of Hearing: 12.03.2025

Date of Order: 13.03.2025

**ORDER**

1. Appeal No. 56/2024 has been filed by Shri Chur Mal Bansal, R/o House No. A-23, Ground Floor, Ashok Vihar, Phase – 1, Delhi - 110052, challenging the CGRF-TPDDL's order dated 29.10.2024 passed in CG No. 137/2024.
2. The background of the case is that the Appellant approached the Forum on 13.08.2024, submitting that a non-domestic electricity connection bearing CA No. 60017689666 of 1 KW/KVA load installed at the above mentioned address had been disconnected presumably since 17.06.2023, without his fault. Although, the connection was once restored on 24.02.2024, after 256 days, it was disconnected again without any fault on his part on 15.04.2024 and restored on 16.08.2024. In this regard, the Appellant had sent his first communication on 02.11.2023 and subsequently several e-mails to the concerned department of the Discom but he did not receive any satisfactory reply. To avoid any further problem and due to personal reasons, he had deposited an amount of Rs.3,870/- The Appellant was also not allegedly receiving original bills and as such requested the Discom for hard copy of the bills vide his letter dated 09.04.2024.



Further, the Appellant's contended that when his meter was not getting supply from 17.06.2023 to 15.04.2024, then why the fixed charges for that period were being charged from him. The Appellant requested (a) for a refund of the deposited bill with interest for the disconnected period, (b) compensation as per rule for non-availability of supply, (c) a compensation of Rs.5 lakhs for the mental and physical agony faced by him being a disabled senior citizen, (d) Rs.50,000/- for expenses incurred, (e) restoration of the disconnected supply and (f) to order for action against all officials responsible and involved in his case.

3. The Discom submitted that the electricity supply was temporarily disconnected on 15.04.2024, due to non-payment of regular bills and was restored on 16.08.2024. The payment of Rs. 420.34 was paid by the Appellant on 27.06.2023 for the period 15.05.2023 to 17.06.2023. After that the release of bill was kept on hold due to 'No Display' reported by the Meter Reader and finally a provisional bill No. 15005843169 was issued on 31.10.2023 for the period 18.06.2023 to 24.10.2023 (with 'ND - No Display' remarks for an amount of Rs.1,518.42 based on fixed and applicable charges thereon. Further, on the direction of the Forum, the Discom initiated to track the data from the smart meter for the period 17.06.2023 to 15.04.2024, the date of disconnection, but the same was not successful. Subsequently, site visit was carried out and found there was no electricity supply in the meter. Moreover, there was no request from the Appellant regarding interruption in the electricity supply. The matter was further analyzed for any other causes for the supply interruption, it was found that the Discom had not initiated any disconnection, as there was no outstanding amount against the connection. Furthermore, the Appellant did not submit any request for restoration of electricity or disruption in power supply. Therefore, the issuance of bills were kept on hold during this period and finally a provisional bill No. 15005843169 dated 31.10.2023 for the period 18.06.2023 to 24.10.2023 was generated (with remarks 'No Display') for an amount of Rs.1,518.42 based on fixed charges and applicable charges.

On receiving the above mentioned bill, the complainant registered his first complaint on 2.11.2023, on the grounds that when there was no electricity supply, then why he would be liable to pay the bill. The Discom further clarified that since the Appellant has specifically disputed the bill amount, they responded the matter through e-mails. To support their claim, the Discom provided copies of correspondence to the Forum. Following the correspondence by the Appellant, site visit was carried out and it was found that a phase wire was got burnt on the pole, which was repaired on 24.02.2024. Furthermore, the Discom submitted that there is a difference between 'a supply disconnected' and 'supply not present' in the meter due to any fault. A supply is disconnected only against a 'Disconnection Order' or safety issue, and since no such order was issued for disconnection of supply, there was no reason for disconnection of the supply. In case, there is no supply, the consumer is required to register a 'No



Current Complaint', however, no such complaint was found registered against the subject CA No.

4. The CGRF-TPDDL, in its order dated 29.10.2024 has maintained a distinction between 'supply disconnected' and 'supply not present'. The Forum also considered the delay on the part of the Discom in restoration of electric supply, and subsequently, directed the Discom to waive off the fixed charges from 02.11.2023 to 24.02.2024, and payment made by the complainant be adjusted in future bills for the subject connection. Concerning the claims for compensation and expenditure, the Forum noted that supply had not been used since 2017, despite bills were regularly being paid by the complainant. Furthermore, no complaint regarding 'No Current' was reported with the Discom, and, therefore, there was no basis for compensation and expenses.

5. Aggrieved from the order dated 29.10.2024, passed by the CGRF-TPDDL, the Appellant has filed this appeal on the main ground that there was no electricity supply from 17.06.2023 to 15.04.2024, yet, the fixed charges were being charged from him. The Appellant further submitted that despite there was no load, he has been paying the minimum bill for so many year. Specific reference has been made to the non-consumer friendly approach by one Shri Rajan, during telephonic interaction with him, with lack of proactive action despite submission of representation and raising of the billing dispute. The Appellant also asserts that he was harassed mentally and physically by the Discom but the Forum did not consider his contention.

The Appellant has requested the following reliefs:

- i. To grant stay for taking any action against the Appellant
- ii. To refund the deposited bill amount along with interest for the entire period as requested.
- iii. To penalize the Discom for the disconnection of the electricity supply, as per the DERC's Supply Code, 2017.
- iv. To award a compensation of Rs. 5.00 lakhs for mental and physical harassment.
- v. To award Rs.50,000/- for incurred expenditure.
- vi. To take action against the official of the Discom, responsible for disconnection of the electricity supply.

6. The Discom, in its written submission to the appeal vide its letter dated 24.12.2024, reiterated the fact that the electricity was not disconnected rather it was interrupted due to a fault in the service cable. Further, the Appellant did not file a complaint regarding "No Power Supply". The Discom also confirmed that in accordance



with the Forum's order dated 29.10.2024, the bill has been revised, and a credit of Rs.1,452/- has been adjusted in subsequent bill of the said connection.

7. The appeal was admitted and fixed for hearing on 12.03.2025. During the hearing, the Appellant was present, in person and the Respondent was represented by their representatives/advocates. An opportunity was given to both the parties to plead their respective cases at length. Relevant questions were also asked by the Ombudsman as well as the Advisor (Engineering), to elicit more information on the issue.

8. During the course of hearing, the Appellant reiterated his stand as stated in his appeal, and in a rejoinder filed just before the hearing. The same was taken on record. When asked the reason for having a non-domestic connection, the Appellant stated that it had been installed earlier at his premises, measuring around 300 sq yards, for commercial activities. Now, he resides out of station and occasionally visits there, so the electricity supply not being used. Nevertheless, he did not change the connection category for its use in future. He contended that the electricity supply of his meter (non-domestic), in question, had remained disconnected since 18.06.2023 till 24.02.2024. Despite no use of electricity during that period, the Discom had raised the impugned bill. All efforts for its rectification had gone in vain. In response to a query regarding the status of the existing meters at the premises, the Appellant submitted that there are three meters in the building, out of which one, in question, remained disconnected. Due to safety concerns, this meter was not accessible to the Respondent, but it was accessible by anyone three months prior during disputed period. No satisfactorily response was given by the Appellant as to what types of messages were received by him on 26.07.2023, 03.08.2023, 27.08.2023 and 29.10.2023 from the Discom. However, he submitted initial e-mail dated 02.11.2023, which was sent to the Discom, by him.

9. In rebuttal, the officer present reiterated its written submission and asserted that the Appellant's old meter was replaced with a new smart meter in 2022. A number of messages were sent to the Appellant between July to October, 2023 regarding some problem in display of meter, as reported by the Meter Reader. However, the Appellant did not reply to these messages. The bill, in question, was raised on the basis of fixed charges and applicable charges thereon, apart from energy charges, which is payable. On the Ombudsman's query on what action has been taken after 03.08.2023 (the date when Meter Reader reported 'No Display' in the meter) till 02.11.2023 (the date when first complaint/e-mail received from the Appellant) or even thereafter till 24.02.2024 (the date of restoration of electricity supply), no convincing response was given by the Discom. However, the officer present submitted that after 03.08.2023, they initiated the trouble shooting remotely being smart meter, but the same was not successful due to premises being locked. The Discom further submitted that generally bulk SMS messages are sent to individual consumers both in the event of outage/scheduled



power cut apart from unscheduled power cut situation. Reliance on Regulation 76 (3) of DERC Supply Code, 2017 was taken by the Respondent which deals with failure to meet standards of performance for restoration of power supply, potentially leading to compensations for affected consumers. The Discom further submitted that in the initial email dated 02.11.2023, only the billing issue was raised by the Appellant instead of power cut/no current in the meter. Advisor (Engineering) explained that the smart meters have a two-way communication function, measuring energy consumption and transmitting data to energy providers, allowing for real-time usage monitoring and accurate billing, while also potentially allowing suppliers to send instructions or updates of the meter. No convincing response was received when asked from the officer present that when remote command was given to the smart meter, in question, and it did not operate whether any information/letter was sent to the concerned operation team for resolving the issue. It was observed that it took almost 114 days i.e. from 02.11.2023 to 24.02.2024 for restoration of the electricity supply. In response to a query by Advisor (Engineering), the officer present submitted that no complaint with respect to outage or no current in the meter, in question, was registered by the Respondent as the Appellant did not file any complaint in this regard. As regards allegation against one officer namely "Shri Rajan" for misbehaving with the Appellant, the officer present requested to play a recorded conversation between them before Hon'ble Ombudsman. It was seen and heard that no insensitive act was observed on the part of the officer, as alleged. On the contrary, he was found to be humble and very professional in his approach. The allegation that he disconnected the phone arose as the call got disconnected abruptly with no "OK"/"Thanks"/ "Bye" etc.

10. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

(a) The Appellant has claimed compensation in the light of the finding by CGRF about the delay by the Discom in reconnection of the electricity supply, besides physical, mental and financial agony suffered by him. He has also raised the issue of no action/effort to correct/check supply on 03.08.2023.

(b) The case of the Appellant is that there was no supply in the meter from 08.06.2023 and provisional bills were raised for the period 18.06.023 to 24.10.2023. Despite a complaint on 02.11.2023, supply was only restored on 24.02.2024 (256 days) and bill for the period 18.06.2023 to 28.02.024 for Rs.3,140/- sent. Supply stopped on 15.04.2024 was restored on 16.08.2024.

(c) The stand of the Discom is that the bill dated 31.10.2023 for Rs.1,520/- against CA No. 60017689666 was payable, having been raised as per tariff. No complaint was made about 'No Power Supply'.



(d) On 09.12.2022, meter was replaced with initial 'zero' reading. No reading was recorded and hence 'zero' reading. Since meter was not put in use, bill for fixed charges and applicable charges were issued and paid by the Appellant. Bill dated 18.06.2023 for Rs.420.34 was paid. At next billing cycle, meter reader reported 'no display'. Notification No. 2034833730 issued on 03.08.2023, trouble shooting indicated no result and during visit no electricity supply was found in the meter. After complaint on 02.11.2023, site visit found phase wire burnt on pole and was repaired on 24.02.2024. In between from 18.06.2023 to February, 2024, the working of meter and power supply were neither checked nor any defect reported by the Meter Reader to the Discom for action. There was, therefore, no basis for the provisional bills raised.

(e) It is the responsibility of the Licensee under Regulation 21(4) to maintain service line. The billing/consumption record from 2018, reflect a low consumption pattern and 'zero' reading 2018 (September) till 06.10.2024.

(f) Checking of the line between 2018 till 2024 (February) did not take place. Even checking of line in February, 2024 was also delayed since complaint was duly submitted in November, 2023.

(g) It is clear that the Appellant was aware about not getting electric supply but he never brought the matter in notice to the Respondent,, while onus lies on him to register outage/no current complaint under Regulation No. 69 of DERC's Supply Code, 2017. He raised supply complaint/concern on 02.011.2023 through mail when got provisional bill from 17.06.2023 to 24.10.2023.

(h) Recorded conversation between the Appellant and Mr. Rajan, the official of Discom's Internal Consumer Grievance Redressal Cell (ICGRC), was heard, during the hearing produced by the Discom, and it was found that there was no rude answer/misconduct.

(i) Respondent action remained sluggish rather than pro-active in resolution of grievance.

(j) The appeal was filed with main reason that in spite of CGRF's order, the Discom has not revised the bill and sought more heavy compensation.

(k) The Discom has however informed that the CGRF's order has been implemented and the same has been confirmed to the Forum vide e-mail dated 06.12.2024 duly mentioning that revision of bill has been carried out with credit of Rs.1,452/- on account of withdrawal of fixed charges for the period 02.11.2023 to 24.02.2024. After a complaint on 02.11.2023, corrective action was only taken on 24.02.2024 to restore the supply. This delay could not be explained by the




Discom in their reply. The delay, the callous behaviour by various officers at various stages necessitates compensation to the Appellant.

11. In the light of the above, this court directs as under:

- (i) The order passed by the CGRF-TPDDL stands modified.
- (ii) In the light of the discussion in para 10 above, and also in the interest of natural justice and fair play, a compensation of Rs. 15,000/- is awarded in favour of the Appellant. The credit should be passed on against his CA No. 60017689666, in the next billing cycle.
- (iii) The CEO of the Discom is directed to enquire into the functioning of the (ICGRC) and take necessary action for bringing about an improvement. The officers present on the day the Appellant visited the office, need to be identified and action initiated against them. Officers with sensitivity towards consumers be posted to Department having public interface.

12. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.

  
(P.K. Bhardwaj)  
Electricity Ombudsman  
13.03.2025