

**Office of the Electricity Ombudsman**

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

**B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057**

(Phone No.: 32506011, Fax No.26141205)

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**Appeal No. 689/2015**

**IN THE MATTER OF:**

Shri Sushil Bansal - Appellant

Versus

M/s Tata Power Delhi Distribution Ltd. - Respondent

(Appeal against Order dated 12.03.2015 passed by CGRF-TPDDL in CG.No.6367/12/14/NRL)

**Present:-**

**Appellant: Shri Sushil Bansal was present in person.**

**Respondent: Shri Manish Kumar, Manager (Legal), Shri Kapil Kumar, Accts. Executive (LSC) & Shri Praveen Chawla, Officer (HRB) attended on behalf of the TPDDL.**

**Date of Hearing : 04.08.2015**

**Date of Order : 07.08.2015**

**ORDER**

This is an appeal filed by Shri Sushil Bansal, S/o late Shri Om Parkash Bansal, R/o Plot No.2763, Block – F, DSIDC, Narela, New Delhi - 110040, against the Consumer Grievance Redressal Forum – Tata Power Delhi Distribution Limited (CGRF – TPDDL) order dated 12.03.2015. The complainant, being user of CA No.60002728271, approached the CGRF against an alleged excessive bill amounting to Rs.68,410/- issued in May, 2014, which led to supply being disconnected for non-payment and even after deposit of the amount, the connection was not restored.

The CGRF partly agreed to the contention of the complainant and removed the service line cum development (SLD) charges of Rs.31,000/- as well as LPSC of Rs.7,330/-, finding Rs.74,100/- payable by the complainant by 25.03.2015.

The appeal was filed by the complainant on the ground that an amount of Rs.20,000/- paid by him had not been adjusted, the LPSC had not been removed apart from the electricity not having been restored. He also asked for a compensation of Rs.2.5 lakhs per month as the connection was installed in a small industry which was shut down and his livelihood was affected.

During the hearing held on 04.08.2015, both parties were heard. It was seen that the order of the CGRF was passed on 12.03.2015 allowing the complainant to deposit the sum finalized by the CGRF till 25.03.2015. However, it is noted that the electricity was disconnected on 12.03.2015 itself. On being queried as to why such a direct violation of the orders of the CGRF took place, the representative of the DISCOM could not give a satisfactory explanation and merely said that the disconnection process had been set in motion prior to the judgement of the CGRF. However, this does not absolve the DISCOM, after getting the CGRF's order, from realizing its error and restoring the electricity connection wrongly removed ahead of time and allowing the complainant time to pay. The premature disconnection of electricity removed any incentive the complainant may have had to pay within time to avoid disconnection. Consequently, he took his own time in paying the amount and the electricity was finally restored on 27.05.2015 on direction of the Ombudsman's office. The extended date of payment fixed by the CGRF was 30.04.2015 and it appears that by now all payments have been made except some fixed charges which have accumulated since the matter went before the CGRF. The fixed charges would not have accumulated had the connection not been removed prior to the time fixed by the CGRF.

Although it is true that the entire matter began as a result of dishonoring of a number of cheques issued by the complainant which ultimately led to non-payment/disconnection yet the fact that the DISCOM was unable to follow the exact orders of the CGRF leads to the conclusion that the fixed charges said to have been accumulated should be set-aside and a proper bill presented for payment. No further compensation is called for due to the complainant's own error in issuing cheques which were dishonoured. The fixed charges will not accumulate till the issue of the next due bill after the passing of this order.

The appeal is accepted to that extent and the above orders are passed.



**(PRADEEP SINGH)**  
Ombudsman

7th August, 2015