

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)

Appeal No. F. ELECT/Ombudsman/2015/691

Appeal against the Order dated 02.01.2015 passed by CGRF–
BRPL in CG.No.709/2014.

In the matter of:

Smt. Phoolwati - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent No.1

Shri Krishan Singh - Respondent No.2

Present:-

Appellant: Smt. Phoolwati was present in person.

Respondent: Shri Athar Jawed (ASVP), Shri M. D. Jai
Prakash (DGM), attended on behalf of the BRPL.

Shri Pankaj, son of Shri Krishan Singh, attended
on his behalf.

Date of Hearing : 16.06.2015

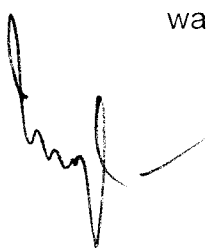
Date of Order : 25.06.2015

ORDER NO. OMBUDSMAN/2015/691

This is an appeal filed by Smt. Phoolwati, R/o F-208, Lado Sarai, New
Delhi – 110030, against an order of the Consumer Grievance Redressal Forum
(CGRF) dated 02.01.2015, dismissing her plea regarding illegal disconnection
of her meter without consent and approval. It appears the connection was
disconnected on 12.03.2014 and a new connection was applied by one Shri


Krishan Singh at the same address on 28.04.2014 which was installed on 14.05.2014 after completion of formalities. When Smt. Phoolwati complained against this disconnection a show-cause notice was issued to Shri Krishan Singh on 20.05.2014 and on no satisfactory reply being received from him an application dated 22.05.2015 was generated for reconnection of the disconnected connection of Smt. Phoolwati. On 28.05.2014, the DISCOM team visited the site to install the meter but the occupants did not allow this and manhandled the team. On a couple of subsequent dates also this reconnection could not be done inspite of police protection. The CGRF had earlier closed the case on 02.01.2015 noting that the matter was a property issue before the Hon'ble Court of Saket. It also, further, observed that it had no jurisdiction because another matter was pending before the Special Court of Electricity, Saket.

During the hearing held on 16.06.2015, the DISCOM could not confirm that there was any case pending before any Special Court of Electricity in Saket as there was no matter of theft of electricity occurring in this matter. Further, it was seen that the matter before the Civil Court in Saket is related to a property issue and not to the issue of electricity supply or occupation of the premises in question. Both the parties agreed that Smt. Phoolwati is in occupation and she as well as the complainant also confirmed that actual interruption of the electricity supply to the premises had not occurred. The issue was merely one of removal of a connection in the name of Smt. Phoolwati on some forged documents. It is not clear why the CGRF could not have ensured that the decision of the DISCOM to reconnect the disconnected connection should be given effect to so that the status quo ante is restored till the status of the property is decided in the Civil Court. Since the DISCOM had itself decided to reconnect Smt. Phoolwati's connection wrongly disconnected connection, there was no specific order required from the CGRF except that the DISCOM should



implement its own decision. The complainant had sought the help of the CGRF so that the so called fraud could be punished.

It is thus clear that the DISCOM is required to implement its own decision to restore the wrongly disconnected connection, with or without police assistance. This would be without prejudice to the proceedings in the Civil Court relating to the property itself whose outcome will in any case be binding on all the parties. In the entire process of wrong removal of electricity connection some inconvenience has been caused to Smt. Phoolwati who has had to go to the CGRF and come to the Ombudsman to obtain her rights. For the inconvenience caused an amount of Rs.5,000/- should be given to her as compensation and the DISCOM should ensure implementation of its own orders within 20 days and inform this office in writing.


(PRADEEP SINGH)
Ombudsman
25/6 June, 2015