

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-cum-Fax No.: 011-26141205)

Appeal No. 785/2017

IN THE MATTER OF:

Shri Laxman Prasad - Appellant

Vs.

M/s Tata Power Delhi Distribution Ltd. – Respondent

(Appeal against order dated 28.02.2017 passed by CGRF-TPDDL in CG No.

7369/08/16/MGP)

Present:

Appellant: Shri Laxman Prasad

Respondent: Shri Harshendu Kumar, Sr. Manager (Legal) and Shri Ashok Kumar, Senior Officer (Billing) on behalf of TPDDL

Date of Hearing: 23.06.2017

Date of Order: 28.06.2017

ORDER

1. Appeal No. 785/2017 has been filed by Shri Laxman Prasad of H. No. F 54/B Part -2, Astha Vihar, Prem Nagar –III, Kirari, Delhi - 110086 against CGRF-TPDDL's order in CG No. 7369/08/16/MGP dated 28.02.2017.

2. The Appellant has filed a plaint on the subject of the Discom (Respondent) having enhanced the load of his domestic connection from 1 to 2 Kw on the basis of MDI readings and subsequently revising it downwards to 1 Kw, again on the same basis coupled with the issue of the charging of an additional security deposit due to load enhancement which was later adjusted. The precise issue on which he is seeking relief has not been made clear by the Appellant and, as the CGRF has observed, he seems to be agitating something or other without a clear focus.

3. In the interests of natural justice, nevertheless, the Appellant was afforded a full opportunity to be heard and, on the assumption that a communication gap resulted in his inability to understand the basis for his load enhancement and subsequent reduction, the Discom was asked to depute their officer dealing with billing issues to explain the matter all over again to him on the day of the hearing. This was done for a full half an hour prior to the formal hearing in the Ombudsman's court after which he was apparently satisfied. During the formal hearing, the Appellant was queried as to exactly what relief he was seeking from the Ombudsman. The question had to be repeated several times after which, while admitting that he

had already received the security deposit refund, the Appellant merely stated that three years of his time had been wasted. No further clarifications were forthcoming from him beyond a repetition of what he had already said in his plaint and submitting another version of the same.

4. The Discom, in its response, has outlined the sequence of events and the basis on which the Appellant's load had been enhanced and subsequently reduced with the additional security deposit charged from him having been refunded/adjusted in July last year. They have also said that all their attempts to satisfy the Appellant on his queries and complaints have been in vain.

5. Having heard both parties and considered the material on record, I am of the definite opinion that the Appellant seems to be agitating trivial issues and deliberately acting obtuse without any clear objective in mind, a conclusion reinforced by his demeanour and attitude during the explanatory briefing by the Discom prior to the hearing and during the formal hearing before the Ombudsman. The principal issue at hand is really quite simple: the load of the Appellant's connection was enhanced from 1 to 2 Kw in September, 2014 on the basis of the highest MDI readings registered during the previous year. An additional security deposit was charged on account of this enhancement in his bill. The load was subsequently reverted to 1 Kw in July, 2016, again on the basis of the MDI readings which showed a lower level of consumption, and the excess security deposit adjusted in his bill the same month.

6. The path his case has traversed, enumerated by the CGRF as well, shows that he had first filed an RTI application on the same issue before the DERC in November, 2014, following it up with two more representations to the Commission in December, 2014 and January, 2015, receiving replies to all of them. Not satisfied, he filed a case before the Central Information Commission in March, 2015 followed by two letters to the Ministry of Power, Govt. of India in January and April, 2015 before being advised by the DERC in August, 2016 to approach the CGRF with his complaint. The CGRF took up the case, holding nine hearings between September, 2016 and February, 2017 before dismissing his appeal, observing that he had no substantive basis for agitating his case and that he seemed to be a "professional litigant" who has only wasted the time of the Forum.

7. I find no substantive reason to intervene with the verdict of the CGRF. For some unfathomable reason, despite attempts by the Discom, the Appellant does not seem to have either understood or tried to understand the logic and basis of the Discom's actions, choosing instead a path of filing numerous complaints before different authorities and agitating, without a clear focus, what is essentially a trivial matter which already stands resolved to his advantage. As noted in paragraph 3 supra, when asked exactly what relief he was seeking, all that he had by way of an answer was that three years of his time had been wasted. I see absolutely no way in which anyone can be held liable for this except the Appellant himself.

The appeal is hereby dismissed as being frivolous and vexatious and devoid of all merit.

Sundaram Krishna
(Sundaram Krishna)
Ombudsman

28.06.2017

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