

Office of 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/2008/256

Appeal against Order dated 11.09.2007 passed by CGRF–NDPL in CG.No. 1342/07/07/MTN.

In the matter of:

Shri Naresh Kumar - Appellant

Versus

M/s North Delhi Power Ltd. - Respondent

Present:-

Appellant Shri Naresh Kumar, Appellant attended in person

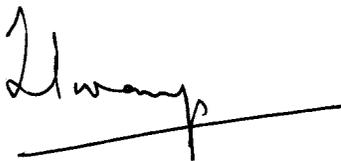
Respondent Shri Amandeep Singh Sodhi, Senior Officer C&G,
Shri B.L. Gupta, Assistant Manager, C&G, and
Shri Vivek, Assistant Manager (Legal) attended on behalf
of NDPL

Dates of Hearing : 28.04.2008, 25.06.2008

Date of Order : 30.06.2008

ORDER NO. OMBUDSMAN/2008/256

1. The Appellant, Shri Naresh Kumar, has filed this appeal against the non-implementation of the CGRF's order dated 11.09.2007, by NDPL, in the CG No.1342/07/07/MTN.
2. The background of the case as per the submissions made by both the parties is as under:



- a) The Appellant Shri Naresh Kumar, s/o Shri Vijay Pal Singh, is r/o CB-12 (old no. CB-78) Ring Road, Naraina, New Delhi 110 028. The Appellant applied for a new permanent connection vide request dated 26.05.2007 and the expected date for grant of a connection given by the Respondent was 14.06.2007.
- b) As no action was taken by the NDPL, the Appellant filed a complaint before the CGRF on 05.07.2007. The Complaint was registered and a copy of the same was sent by the CGRF to the Respondent on 16.07.2007 for taking necessary action.
- c) On 09.08.2007, the CGRF sent a reminder to the NDPL for expediting the reply, followed by another reminder dated 16.08.2007.
- d) On 24.08.2007, the NDPL submitted a reply before the CGRF informing that the Respondent has processed the case and as per records, the Appellant has to give a indemnity bond in favour of the Respondent. After getting the indemnity bond, the Respondent will issue the demand note, and on receipt of payment against the demand note and after fulfilling other commercial formalities, the connection will be energized.
- e) The CGRF passed an order on 11.09.2007 with the directions to the Respondent, to issue the demand note latest by 17.09.2007 without insisting on submission of an indemnity bond and to energize the connection within seven days of receipt of the amount against the demand note.
- f) As the NDPL did not take any action to comply with the CGRFs order, the Appellant filed a complaint before the CGRF on 24.09.2007 for non-compliance of its order. This complaint was sent to NDPL on 05.10.2007 for seeking a status report.



g) As no action was taken by the NDPL, the Appellant filed this appeal before the Ombudsman. The records were called for from the CGRF on 14.03.2008. As per the records of the CGRF, the Respondent NDPL informed the CGRF vide letter dated 19.03.2008 that the connection has not been energized as proof of ownership has not been submitted by the Appellant. This reply seems to have been given after about 5½ months of the CGRF's communication dated 05.10.2007.

3. After scrutiny of the contents of the appeal, the CGRF's order and the replies submitted by both the parties, the case was fixed for hearing on 28.04.2008.

On 28.04.2008, the Appellant was present in person. The Respondent was present through Shri Vivek AM Legal, Shri B. L. Gupta AM C&G and Shri Mandeep Singh Sodhi Senior Officer C&G.

Both parties were heard at length. The Respondent informed that there are already two connections existing in the premises in the name of the father of the Appellant. As such, the requirement of another connection needs to be confirmed.

4. The Appellant informed that he is residing separately on the first floor of the premises and he needs a separate electric connection. The Respondent was directed to get the site inspected and to submit a report within ten days, as to whether a new connection can be given as per rules. The Respondent was to inspect the site on Monday i.e. 5th May, 2008 at 10:00 A.M, and to submit the report by 7th May, 2008. On receipt



of the site inspection report, the case was fixed for hearing on 25.06.2008.

5. On 25.06.2008, the Appellant was present in person. The Respondent was present through Shri Amandeep Singh Sodhi, Senior Officer C&G and Shri Vivek AM Legal.

Both parties completed their arguments. The Respondent filed the site inspection report which was taken on record. From the site inspection report dated 05.05.2008 and after hearing the parties, it is evident that the Appellant has a separate unit and a separate kitchen. An NOC has also been given by the Appellant's father, being the owner of the premises. **It was therefore directed that the demand note be issued by the Respondent by 26.06.2008, and within ten days of receipt of the payment, the new connection be energized.**

6. **It is observed that unnecessary delay has been caused in this case by the Respondent and the case was not processed in the right perspective. Even the orders of the CGRF were not complied with. For harassment caused to the Appellant as a result of this, a token compensation of Rs.2,000/- is allowed. The Respondent should adjust this amount in the bills for the new connection.**

20th June 2008


(SUMAN SWARUP)
OMBUDSMAN