

**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/2008/279**

Appeal against Order dated 08.05.2008 passed by CGRF–NDPL in CG.No.1697/04/08/KPM (K.No. 32200128905).

**In the matter of:**

Shri Inder Mohan Rampal - Appellant

**Versus**

M/s North Delhi Power Ltd. - Respondent

**Present:-**

**Appellant** Shri Inder Mohan Rampal , Appellant attended in person

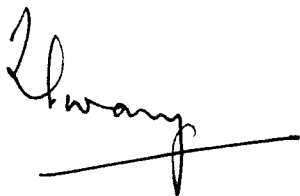
**Respondent** Shri B.L. Gupta, Assistant Manager (CMG) and  
Shri Vivek, Assistant Manager (Legal) attended on behalf  
of NDPL

**Date of Hearing** : 28.08.2008

**Date of Order** : 01.09.2008

**ORDER NO. OMBUDSMAN/2008/279**

1. The Appellant Shri Inder Mohan Rampal has filed this appeal against the non-execution of the order dated 08.05.2008 of the CGRF-NDPL by the Respondent in case CG No. 1697/04/08/KPM.
2. The background of the case as per records submitted by both the parties is as under:



- i) The Appellant who is a resident of No.361, SFS flats, Phase – IV, Ashok Vihar, Delhi – 110052 applied for transfer of the existing electricity connection at his residence from the original registered consumer Shri Rajinder Chadha to his name vide letter dated 05.12.2007. The Appellant followed up the request with reminders dated 04.01.2008 and 11.02.2008 but did not get any response from the Respondent.
- ii) The Appellant filed a complaint before the CGRF-NDPL on 19.03.2008 stating that a demand of Rs.3600/- (consumption deposit) had been raised by the Respondent for transferring the connection bearing K. No. 32200128905 registered in the name of Shri Rajinder Chadha to the name of the Appellant. The Appellant stated before the CGRF that Flat No. 361, SFS, Ashok Vihar, Delhi – 110052 was purchased by him vide registered Sale Deed executed on 05.06.2007 according to which all the rights including the title had been transferred to his name. As such the electricity connection should also be transferred without charging a fresh consumption deposit. The Respondent stated before the CGRF that Clause 20 (i) of the Delhi Supply Court & Performance Standard Regulations 2007 provides that a No Objection Certificate (NOC) from the registered consumer / authorized person etc. shall be required for cases involving transfer of the security deposit in the name of the registered consumer to the Appellant.



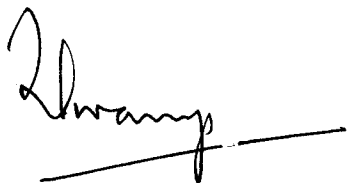
- iii) The CGRF in its order dated 08.05.2008 decided that the electricity connection K. No. 32200128905 sanctioned in the name of Shri Rajinder Chadha, be transferred in the name of the Appellant Shri Inder Mohan Rampal provided :
- a) No objection certificate from the registered consumer is submitted by the Appellant or
  - b) A fresh consumption deposit as per the demand note raised by the Respondent is paid by the Appellant.
- iv) In compliance of the CGRF's order, the Appellant submitted an NOC from the original registered consumer to the Respondent on 23.05.2008. The Appellant states that despite the order of the CGRF the Respondent has failed to execute the said order even after a lapse of one month. The Appellant further states that the attitude of the Respondent has been to harass him and he has prayed that the Respondent be directed to execute the order of the CGRF dated 08.05.2008 and appropriate action may also be considered against the concerned officials of the Respondent for non-execution of the CGRF's order.
3. After scrutiny of the records submitted by both the parties, the case was fixed for hearing on 28.08.2008.



On 28.08.2008, the Appellant Shri Inder Mohan Rampal was present in person. The Respondent was present through Shri B.L Gupta AM (CMG) and Shri Vivek AM (Legal).

Both the parties were heard. The Appellant reiterated the submissions already made in his appeal. The Respondent submitted that the NOC submitted by the Appellant does not mention anything about transfer of the security deposit and the Appellant is liable to pay the difference between the security amount paid by the registered consumer and the security payable at the present rate, since the earlier security of Rs.885/- was deposited as per the rate prevalent at that time.

4. From the copy of the Sale Deed filed by the Appellant, it is clear that the previous owner had agreed for transfer of his electricity connection to the Appellant. The previous owner had also not asked for refund of the security. Normally the security is refunded when the final bill is paid and the connection is got disconnected. Here, the previous owner has agreed for transfer of the electricity connection in the name of the Appellant in the Sale of Deed itself and normally an NOC should not have been necessary in this case. However the registered owner, Shri Rajinder Chaddha, has also subsequently issued an NOC in compliance of the CGRF's order. No further NOC for transfer of the security deposit is therefore required. The DERC Regulations




do not provide for payment of any further security amount at the time of transfer of a connection.

It is therefore decided that the connection be transferred in the name of the Appellant without any further delay and without payment of any further security deposit. The order of the CGRF is modified to this extent. Compliance be reported within a week of this order.

( 1. 09. 2008 )

1<sup>st</sup> September 2008

  
(SUMAN SWARUP)  
OMBUDSMAN