

**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/2010/359**

Appeal against Order dated 08.12.2009 passed by CGRF–BRPL in case no. C.G.No.183/2008.

**In the matter of:**

Sh Vikram Singh Tanwar - Appellant

**Versus**

M/s BSES Rajdhani Power Ltd. - Respondent

**&**

Shri Ajit Singh Tanwar

**Present:-**

**Appellant** The Appellant Shri Vikram Singh Tanwar attended alongwith his father Shri Kazan Singh

**Respondent** Shri Anand Tripathy, DGM, attended on behalf of the BRPL

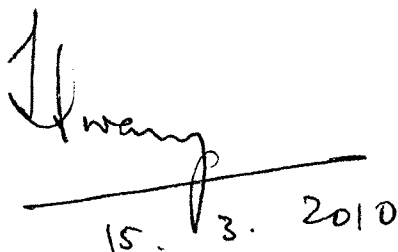
Shri Ajit Singh Tanwar was present in person

**Date of Hearing** : 11.02.2010, 23.02.2010

**Date of Order** : 15.03.2010

**ORDER NO.: OMBUDSMAN/2010/359**

1.0 The Appellant, Shri Vikram Singh Tanwar, has filed this appeal No.3314 dated 04-12-2009 against the CGRF order No. CG/183-08/F2/837 dated 08-12-2008. He has prayed for setting aside

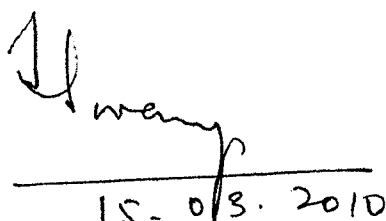
  
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the aforesaid order of the CGRF on the ground that the order was passed without giving him an opportunity of being heard.

2.0 The brief facts of the case as per the records are as under:

- (i) The Appellant Shri Vikram Singh Tanwar and Shri Ajit Singh Tanwar are real brothers and occupants of Plot No. J-48, Gali No. 39, Rajapuri, Uttam Nagar, New Delhi-110059.
- (ii) The Appellant Shri Vikram Singh constructed a room at the aforesaid premises in 1996 and later obtained an electricity connection, water connection and ration card in his name after submitting a 'No Objection Certificate' purportedly from his elder brother, Shri Ajit Singh, who owns the property.
- (iii) Shri Ajit Singh, objected when he came to know about the grant of the new electricity connection K. No.2661W8721871 sanctioned in the name of the Appellant, and requested the Respondent for disconnection of the electricity connection. It is his contention that the 'No Objection Certificate' submitted by the Appellant for obtaining the electricity connection, was forged. The Respondent however did not disconnect the connection.

2.0 Shri Ajit Singh thereafter filed a Complaint dated 06-10-2008 before the CGRF for removal of the electricity connection, which

  
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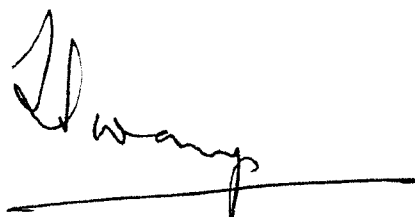
was wrongly sanctioned in the name of the Appellant, on the basis of a forged 'No Objection Certificate'.

- 2.1 The Respondent stated before the CGRF that the electricity meter in the name of the Appellant Shri Vikram Singh was installed on payment of a demand note and after submission of the required documents including an 'NOC' from his brother. Subsequently, Shri Ajit Singh filed a complaint on 17-09-2008 for disconnection of the electricity connection sanctioned in the name of the Appellant on the basis of a forged "NOC".

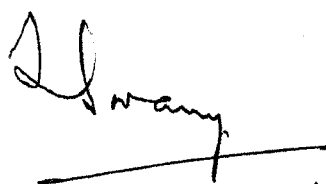
Shri Ajit Singh clarified that he initially allowed the Appellant to occupy a part of the aforesaid premises, but never gave him any 'No Objection Certificate' for obtaining the electricity connection.

The CGRF issued two notices to the Appellant to be present on the hearings fixed on 25-11-2008 and 08-11-2008. However, Shri Vikram Singh did not attend the hearing.

- 2.2 The CGRF after considering the documents and the arguments of the parties came to the conclusion that the Appellant had submitted a forged 'No Objection Certificate' and, therefore, directed the Respondent to remove the electricity connection sanctioned in the name of Shri Vikram Singh.

  
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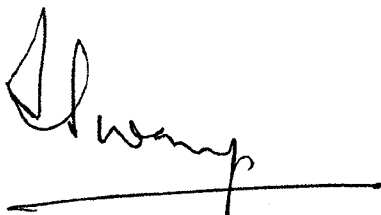
- 3.0 The Appellant Shri Vikram Singh, not satisfied with the order of the CGRF, has filed this appeal dated 04-12-2009, praying for the restoration of the electricity connection which was removed, without giving him an opportunity of being heard.
- 3.1 The first hearing in the case was fixed on 11-02-2010 after obtaining the required clarifications from the parties. The Appellant was not present. Shri Ajit Singh, his brother, was however present. The Respondent was present through Shri Anand Tripathy (DGM), BRPL.
- Shri Ajit Singh stated that he was the legal owner of the property and he initially allowed the Appellant to stay in the premises temporarily. He also clarified that he had not give any 'No Objection Certificate' to the Appellant and he had submitted a forged 'No Objection Certificate' before the Respondent for obtaining the electricity connection in his name.
- The Respondent was directed to produce both the K. No. files in respect of the electricity connections sanctioned in the name of the Appellant Shri Vikram Singh and Shri Ajit Singh.
- 3.2 A final notice was issued to the Appellant directing him to be present at the next date of hearing on 23-02-2010.

  
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At the next date of hearing on 23-02-2010, the Appellant was present with his father Shri Khazan Singh. Shri Ajit Singh was also present. The Respondent was present through Shri Anand Tripathy (DGM), BRPL.

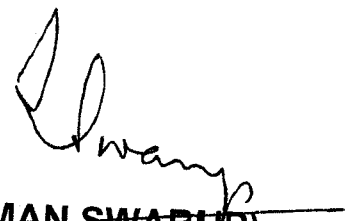
The Appellant Shri Vikram Singh was asked to produce proof of ownership of legal occupation of the premises at Plot No. J-48, Gali No. 39, Rajapuri, Uttam Nagar, New Delhi-110059, so that the electricity connection in his name could be restored. He, however, could not submit any document to prove his ownership or legal occupation of the premises.

Shri Ajit Singh again stated that the 'No Objection Certificate' submitted by the Appellant to the Respondent for the grant of the electricity connection was not signed by him and was forged. He had also filed a complaint with the police in this regard. He also produced a 'General Power of Attorney' in his name as proof of ownership of the property. He further stated that he was not interested in giving any 'No Objection Certificate' for grant of an electricity connection to the Appellant, as he was staying there illegally and against his wishes.

  
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4.0 Based on perusal of the record and the submissions of the parties, I do not find any justification for restoration of the electricity connection in the name of the Appellant Shri Vikram Singh, due to lack of any proof of legal ownership or legal occupation of the premises. There is therefore no reason to set aside the order of the CGRF. The legal owner of the property has clearly stated before me in the presence of the Appellant, that the 'NOC' produced earlier by Shri Vikram Singh for grant of an electricity connection, was forged and a complaint has also been lodged with the police in this regard. **The appeal is, therefore, dismissed.**

15<sup>th</sup> March 2010 .

  
(SUMAN SWARUP)  
OMBUDSMAN