

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/2010/378

Appeal against Order dated 05.10.2009 passed by CGRF–BRPL in case no. C.G.No.228/2009.

In the matter of:

Smt. Kusum Chib

- Appellant

Versus

M/s BSES Rajdhani Power Ltd.

- Respondent

Present:-

Appellant

The Appellant was present through her husband Shri Vijay Chib

Respondent

Shri Rajesh Doshi, DGM
Shri Amit M. Kumar, Manager and
Shri Mahesh Chander, Asstt. Account attended on behalf of BRPL

Date of Hearing : 11.08.2010

Date of Order : 17.08.2010

ORDER NO.: OMBUDSMAN/2010/378

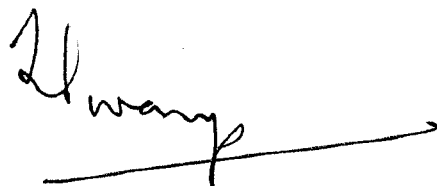
- 1.0 The Appellant, Smt. Kusum Chib, has filed this appeal on 13.05.2010 against the order of the CGRF dated 05.10.2009, requesting for installation of a new electricity connection for the 2nd Floor of her premises by laying an underground cable.



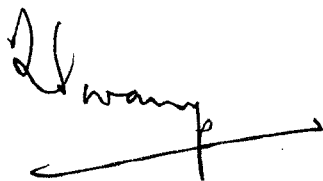
1.1 The brief facts of the case as per the record are as under:-

- i) The Appellant has a single phase electricity connection K. No. 2650 W116 0131, at the ground floor with a sanctioned load of 1.00 KW at her premises H-53, Vikas Puri, New Delhi-110018.
- ii) The Appellant applied for another connection of 1.00 KW for the 2nd floor of her above premises, to avoid inconvenience due to frequent power failures. She also deposited Rs. 3,600/- (Rupees 3000 towards Service Line cum-development Charges (SLD) and Rs. 600/- for security) for the sanction of the new connection.
- iii) The Respondent installed a 'loop' connection on 16.04.2009, but the Appellant raised an objection against the provision of a loop connection. She requested that an under-ground cable should be laid for installation of the new connection.

2.0 The Appellant filed a complaint before the CGRF 23.10.2009 stating that the Respondent had installed the 'loop' electricity connection without informing her about the same at the time of accepting the application and the deposit of Rs. 3,600/-. Moreover, the charges payable for 'loop' electricity connection were only Rs. 500/-. She, therefore, requested for the refund of the excess amount paid by her along with interest @ 18% per annum, and compensation for harassment caused to her.



- a) The Respondent clarified that the Appellant already had an electricity connection at the ground floor with a sanctioned load of 1.00 KW. She applied for another connection of 1.00 KW for the 2nd floor of her premises. As such a 'loop' connection was energized because the combined load of both the electricity connections was 2.00 KW and the existing cable was adequate to bear the electricity load of upto 5.00 KW.
- b) The CGRF in its order dated 05.10.2009 observed that as per Regulation 31 of the Supply Code and Performance Standards Regulations, the Respondent was required to provide the new connection through a Bus-Bar and to maintain the service line with the right to use the same for extension of supply to any other consumer. The CGRF, therefore, directed the Respondent to provide the new electricity connection on the 2nd Floor through a Bus-Bar, failing which the sum of Rs. 2,500/- be refunded to the consumer as the charges for a loop connection were only Rs. 500/-.
- 3.0 The Appellant, not satisfied with the order of the CGRF, dated 05.10.2009 has filed this Appeal praying for refund of the full amount of Rs. 3,600/- with interest @ 18% and a compensation of Rs. 5000/- for the harassment caused to her.

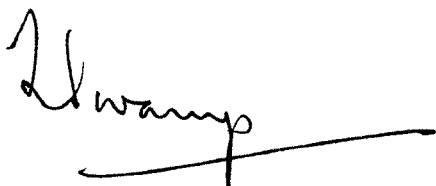


3.1 The first hearing in the case was fixed on 11.08.2010, after obtaining the required clarification from the Respondent. The Appellant was present through her husband through Shri Vijay Chib. whereas, the Respondent was present through Shri Rajesh Doshi (DGM), Shri Amit M. Kumar (Manager) and Shri Mahesh Chander (Asstt. Account).

3.2 The Appellant explained his case. He stated that the new connection was not provided by laying an underground service line although he had deposited the amount demanded for the same. He requested for the refund of Rs.3,600/- deposited by him along with interest @ 18% per annum. and compensation for the harassment caused to the consumer.

The Respondent clarified that the BSES officials visited the premises of the Appellant for installation of a Bus-Bar as directed by the CGRF, and for laying the underground cable, but they were not allowed to install the same. The consumer was also required to pay the cost of road cutting and restoration, which she had not paid. Further, the Appellant did not provide the required space for installation of the meter.

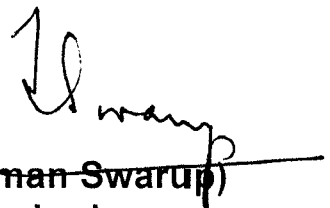
4.0 After hearing both the parties it is observed that Regulation 31(ii) of the DERC Supply Code and Standards Regulations clearly states that "All new connections shall be energized using Bus-

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Bars and not through insulated taped 'loop' connection in the cable." The Respondent should therefore, immediately remove the loop connection installed and a new service line be laid underground for installation of the electricity connection for the 2nd floor, if the connection is still required by the consumer. Further, no payment is recoverable for road cutting and its restoration from the Appellant. In the event that the consumer no longer wants the new connection, the entire amount of Rs.3600/- deposited by her be refunded alongwith interest at the prevailing bank rate. **A compensation of Rs. 2,000/- be also paid to the Appellant for the harassment caused to her. The case is accordingly disposed of.**

- 5.0 The Respondent is directed to implement this order within 21 days from the date of its receipt under intimation to this office under Regulation 9(6) of the DERC Regulations dated 11.03.2004.

17th August 2010


(Suman Swarup)
Ombudsman