

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/2012/448

Appeal against Order dated 01.01.2011 passed by the CGRF–
TPDDL in CG.No. 3647/08/11/BDL

In the matter of:

Shri Wazir Singh Rana Appellant

Versus

M/s North Delhi Power Ltd. Respondent

Present:-

Appellant The Appellant, Shri Wazir Singh Rana, was present,
in person.

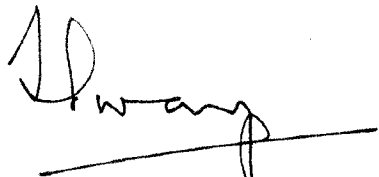
Respondent Shri K.L. Bhayana, Adviser, and
Shri Vivek, Sr. Manager, attended on behalf of the
Respondent

Date of Hearing : 24.01.2012

Date of Order : 25.01.2012

ORDER NO. OMBUDSMAN/2012/448

1.0 The Appellant, Shri Wazir Singh Rana, r/o Khasra No. 612, Village Siraspur, Delhi - 110042, has filed this appeal against the order of the CGRF-TPDDL in C.G. No.3647/08/11/BDL dated 01.11.2011, requesting for early energization of the new electricity connection applied for, and compensation for delay, in energization of the new connection, and costs of Rs.20000/- on account of expenditure on legal expenses.

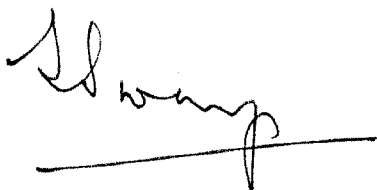

25.1.2012

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

2.1 The Appellant, Shri Wazir Singh Rana applied for a 11KW non-domestic new electricity connection for godown located at Khasra No. 612, Village Siraspur, Delhi – 110 042, on 20.05.2011, and deposited an amount of Rs.27,500/- on 20.06.2011 against the Demand Note CA No.: 60013560580, for getting a new connection. When the connection was not energized after a lapse of more than 20 days, the Appellant filed the complaint with the CGRF-TPDDL.

2.2 The CGRF-TPDDL, vide their order dated 01.11.2011, decided " that the connection applied by the complainant for sanction of a 11 KW load, of which demand-note was paid on 20.06.2011, was to be energized by installing a new transformer by 20.10.2011, as per the DERC's Regulations 17 Table 1(4) but the complainant did not allow the installation of poles and transformer near or in front of his premises, so the connection was delayed. There is no other right of way available. As per Regulation 16 (x), the complainant was informed by the DISCOM regarding non-availability of right of way, and a copy of the notice was pasted on the wall of the complainant's premises.

On 01.11.2011, the complainant has given his consent for laying of service cable over the wall/open land, so his request be revised, and the connection be released from 250 Kva transformer within ten days. Action for augmentation of 250



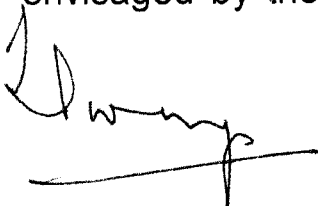
Kva to 350 Kva transformer be taken simultaneously and connection on this account be not delayed.

Since the proper right of way was not available and complainant has consented during the hearing on 01.11.2011, for laying of service cable over the boundary wall/open land so no compensation is admissible, the interest on security deposit amount from the date of deposit be paid through first energy bill".

3.0 When the DISCOM did not release the new connection after the CGRF-TPDDL's order dated 1.11.2011, the Appellant filed this appeal on 29.11.2011 for release of the new electricity connection at his premises located in Khasra No. 612, Village Siraspur, Delhi – 110 042.

3.1 After receipt of para-wise comments from the DISCOM, on the Appellant's appeal, and the CGRF's record, the case was fixed for hearing on 24.01.2012.

On 24.01.2012, the Appellant, Shri Wazir Singh Rana was present. Respondent was represented by Shri K. L. Bhayana, Advisor and Shri Vivek, Senior Manager (Legal). Both the parties argued their case. The Appellant argued that the connection was energized on 23.12.2011, but due to undue delay, compensation be paid as per the Regulations. The Respondent on the other hand argued that the delay was due to resistance to execution of a proper electrification plan, as envisaged by the Respondent for proper electrification, and no

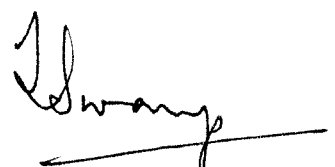


right of way to lay the cables was provided in the area identified as belonging to the Appellant. The right of way provided had debris which had to be cleared.

4.0 After hearing both the parties, it is evident that the premises, i.e. the godown for which an electricity connection was applied for, is located outside the village abadi and by unauthorized conversion of agricultural land. There is no public land available for laying the cables, and there was resistance to provide the right of way, by the Appellant though his land. The delay in sanction of the connection is therefore attributable to the Appellant. No compensation is therefore called for under the circumstances. Further, a proper electrification plan be prepared for this area, before any further connections are granted, to avoid haphazard growth of the system, and grant of individual connections on adhoc basis.

5.0 The case is accordingly disposed off.

25th January 2012


(SUMAN SWARUP)
OMBUDSMAN