

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-cum-Fax No.: 011-26141205)

Appeal No.773/2017

IN THE MATTER OF:

Shri Ashok Kumar - Appellant

Vs.

M/s Tata Power Delhi Distribution Ltd. – Respondent

(Appeal against order dated 23.01.2017 passed by CGRF- TPDDL in CG No.
7522/11/16/BWN)

Present:

Appellant: 1. Shri Ashok Kumar

Respondent: 1. Shri Vivek, Senior Manager (Legal)
2. Shri Anirudh Sinha, Asst. Manager &
3. Shri Brajesh, Asst. Manager, on behalf of TPDDL

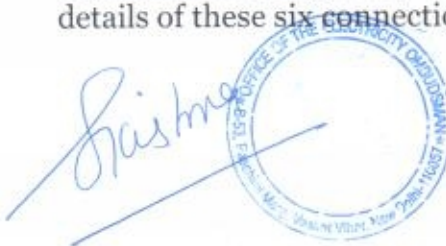
Date of Hearing: 03.03.2017

Date of Order: 06.03.2017

ORDER

1. Appeal No. 773/2017 has been filed by Shri Ashok Kumar, r/o C-89, Jawala Puri, Camp No. 4, Delhi-110087, against CGRF-TPDDL's order in CG No. 7522/11/16/BWN dated 23.01.2017.

2. The brief background is that the Appellant's application for a new electricity connection has been declined by the Discom (Respondent) on the ground that his premises located on Plots Nos. 1 & 2, Kh. No. 44/1, Bhagya Vihar, Village Madanpur Dabas, Delhi, fall under 220 KV transmission line and in violation of the prescribed minimum clearances envisaged in the Regulations of the Central Electricity Authority. The CGRF-TPDDL, which he had approached in appeal, has upheld the Discom's position, hence the present plaint in which he has argued that the sketch of the site inspection carried out by the Discom is incorrect as the 220 KV line does not pass over his premises and that six other connections have been allowed by the Discom even though they fall under this line. The Appellant has mentioned that the details of these six connections, adding that there are many other similar connections





whose details he cannot obtain, as the concerned consumers will not part with personal information.

3. The Discom's response is that the CGRF has been correct in upholding their rejection of the Appellant's application after considering the results of a joint inspection of the site ordered by them. The site inspection report, duly countersigned by the Appellant, establishes that a 220 KV transmission line does pass over the premises where the connection has been sought and is located at less than the minimum prescribed horizontal and vertical safety distances. They have drawn attention to public notice issued on 15.05.2016 by the Department of Power, Govt. of NCT Delhi, mandating a clear Right of Way of 35 meters, a vertical clearance of at least 5.5 meters and horizontal clearance of at least 3.8 meters for connections to be released in the vicinity of 220 KV lines in the interests of public and individual safety. These tolerances are also prescribed in Clause 61 of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010.

4. I have heard both parties and considered the material on record including a fresh site report with specific reference to the status of the six other connections which the Appellant claims have been released by the Discom. At the hearing, the Appellant reiterated his contention that there was sufficient space around his premises and that he cannot be denied a connection in the interests of justice when others have been granted the same. On a specific query, the Discom admitted that the connections already released in the neighbourhood of the Appellant's site were in violation of the minimum prescribed safety distance limits. While adding that these connections had been permitted prior to the issue of the public notice mentioned in paragraph 3 above, the Discom has informed that they have already initiated corrective measures to rectify this error and have written to the Delhi Transco Ltd. who, in turn, have already initiated the process of issuing notices of violation to the consumers of these connections. Copies of these communications have been placed on record by the Discom.

5. Having considered the matter at length, I am afraid it is not possible to afford any relief to the Appellant no matter how much one may sympathise with him and his requirements. All factors considered, there is no alternative but to allow the decision of the Discom and the verdict of the CGRF to stand as they are. A connection cannot be granted to the Appellant on the ground that other connections have been granted in violation of guidelines as several wrongs do not make a right. Action has already been initiated against the violators through the issue of notices, as informed by the Discom, and the law now has to take its own course.

No interference with the verdict of the CGRF is called for and the appeal is, therefore, disallowed.



(Sundaram Krishna)
Ombudsman
06.03.2017