

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.749/2016

IN THE MATTER OF:

Shri Dal Chand Jain - Appellant

Vs.

M/s Tata Power Delhi Distribution Ltd. – Respondent

(Appeal against order dated 29.07.2016 passed by CGRF- TPD in CG No. 7211/04/16/SMB)

Present:

Appellant: Shri Dal Chand Jain

Respondent: 1. Shri Vivek, Senior Manager (Legal)
2. Shri Saibal Nandy, Senior Manager

Dates of Hearings: 22.09.2016 and 05.10.2016

Date of Order: 10.10.2016

ORDER

1. Appeal No. 749/2016 has been filed by Shri Dal Chand Jain, WP-15, Wazirpur Village, Phase-1, Ashok Vihar, Delhi – 110052, against CGRF-TPDDL's order dated 29.07.2016 in CG No.7211/04/16/SMB.

2. The background in brief is that the Appellant's application for a new domestic connection has been declined by the Discom (Respondent) on the ground that his premises fall within an un-electrified pocket. The Appellant has disputed this, arguing that his area is indeed electrified, that his requirement can be easily met from an existing transformer whose capacity can be augmented for this purpose and that the distance of the nearest low tension pole from where a service line can be drawn, is only around 10 meters away, pointing to another connection (bearing CA No. 60021092477) whose location he claims is physically close to his premises while he is being denied the same by the Discom.

Sharma


3. The Discom's position is the same which they have taken before the CGRF, namely that the premises where the connection is being sought falls within an un-electrified pocket in a general area which is electrified. They have drawn attention to Regulation 30(i) of the DERC's Supply Code and Performance Standards Regulations, 2007, which, inter alia, provides for cost-sharing between the Discom and the consumer in such cases as well as DERC's clarifications in this context that the cost of electrification in unauthorised colonies and left-out pockets, including Lal Dora land having no developers, have to be borne by the residents themselves or through State Government funding. In the present case, according to the Discom, the Appellant has to meet part of the costs of the connection he has applied for.

4. I have gone through the material on record and heard the parties. The area in question, where the Appellant's premises are located, indeed falls in an un-electrified pocket which also figures in the list of un-electrified areas whose details are available on the website of the Discom. The connection released to the other party was because that location fell within the electrified area and was, therefore, eligible. The Appellant's premises, on the other hand, is unfortunately located in an un-electrified pocket and, therefore, ineligible. This has been established by a site visit on the directions of the CGRF. The Discom has, however, clarified that the Appellant's connection can be granted provided he agrees to a cost-sharing arrangement as provided for under the DERC's regulations on the subject.

5. Although a site visit had been carried out on the directions of the CGRF, the Discom was directed, as a measure of additional satisfaction to the Appellant, to make another site visit with his participation so that he could understand the position clearly. The Discom has informed that a site visit / joint inspection took place on 03.10.2016 in the presence of the Appellant which again confirmed that the connection (No. 60021092477) cited by him in support of his contention was located in an electrified pocket unlike his own premises which was in an un-electrified pocket. The Discom has again stated that the Appellant's application can be acceded to provided he is willing to accept the cost-sharing arrangement available under rules. Incidentally, the Appellant refused to sign the joint inspection report and offered no cogent reasons for having declined to do so during the hearing.

6. Given the above background, I see no reason to differ with the verdict of the CGRF. The option of cost-sharing is always available to the Appellant if he wishes to avail of it. The Appellant's plaint is, accordingly, disallowed.

Sundaram Krishna

(Sundaram Krishna)
Ombudsman
10.10.2016

