

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.772/2017

IN THE MATTER OF:

Shri Ram Naresh Kumar - Appellant

Vs.

M/s Tata Power Delhi Distribution Ltd. – Respondent

(Appeal against order dated 20.12.2016 passed by CGRF- TPDDL in CG No. 7398/09/16/SMB)

Present:

Appellant: 1. Shri Harhangi Prasad

Respondent: 1. Shri Vivek, Senior Manager (Legal), TPDDL
2. Shri Sunil Gavniyal, Manager, TPDDL

Date of Hearing: 28.02.2017
Date of Order: 01.03.2017



ORDER

1. Appeal No. 772/2017 has been filed by Shri Ram Naresh Kumar, r/o Kh. No. 45/22, H. No. 9, Block E-2, Pradhan Enclave, Burari, Delhi – 110 084, against CGRF-TPDDL's order in CG No.7398/09/16/SMB dated 20.12.2016.

2. The brief background is that the Appellant's had applied for 2 Kw domestic electricity connection as of July, 2016 and which was declined by the Discom (Respondent) on the ground that the area where the connection has been sought fell in un-electrified area. The CGRF has also declined to admit his appeal, holding that his area is an un-authorized colony and that the Appellant may pursue the builder for the deposit of 50% of the cost of electrification of the area along with space for the installation of a transformer.

3. The Discom has reiterated their stand that the area where the connection has been sought falls under the category of an "un-electrified area" and have produced a copy of a list of un-electrified areas submitted by them to the Delhi Electricity Regulatory Commission (DERC) which clearly shows that the Appellant's premises falls in a area of Burari Village mentioned against S. No. 378 of the list. They have

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also drawn attention to Regulation 30(i) of the DERC's Supply Code & Performance Standards Regulations, 2007 which, inter-alia, provides for cost-sharing between the Discom and the consumer/s where infrastructure has to be installed in un-electrified areas as well as the DERC's clarifications in this context which states that the cost of electrification in unauthorised colonies and uncovered pockets, including "Lal Dora" lands, with no developers have to be borne by the residents themselves or through State Government funding. In order to verify the Appellant's claim that the Discom had granted connections in the area to other applicants, a joint site inspection had been carried out on 19.12.2016 on the directions of the CGRF to establish beyond doubt as to whether the Appellant's premises did fall in an un-electrified area. The report on the visit, which the Appellant's representative decline to sign, clearly proves the Discom's position.

4. I have heard both the parties and examined material on record. I find that this case had already been adjudicated upon earlier through an order of CGRF-TPDDL dated 24.09.2015 dismissing a similar plaint filed by the Appellant at that time. He had then come up in appeal before the then Ombudsman who had closed the case on 15.02.2016, observing that the Appellant's premises fell in an un-electrified area and that he could seek a remedy through a cost sharing option as provided for under rules. The Appellant's present plaint before the CGRF did not mention his earlier appeal, prompting the CGRF to observe that he had wilfully concealed these facts while filing the appeal as well as during the proceedings before the Forum. I find no material change in the circumstances surrounding this case which would warrant a reappraisal of the verdict already delivered by the CGRF and my predecessor. As regards the Appellant's contention that other consumers in his area have been granted connections while the same has been denied to him, the Discom has filed a sworn affidavit certifying that the other connections granted fall in electrified areas while the Appellant's premises are located in an un-electrified and, therefore, ineligible area. The option of cost-sharing is always available to the Appellant if he wishes to avail.

No interference with the verdict of the CGRF is called for and the appeal stands dismissed.



(Sundaram Krishna)
Ombudsman
01.03.2017