

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Smt Suman Gupta
4/3-1, Mahavir Enclave,
Majra, Dehradun, Uttarakhand.

Vs

The Executive Engineer,
Electricity Distribution Division (South),
Uttarakhand Power Corporation Ltd.
18, EC Road, Dehradun, Uttarakhand.

Representation No. 14/2016

Order

The petitioner, Smt. Suman Gupta has filed this petition after failing to get any relief from Consumer Grievance Redressal Forum, Garhwal zone (hereafter referred to as Forum) vide their order dated 16.05.2016 on her complaint no. 11/2016. Petitioner has complained that on her request for a 2 KW connection she was asked by the department to deposit charges for 2 poles, which was deposited by her on 31.12.2013. As the department did not provide her an estimate and instead of 2 poles only one pole was required to give her the connection the petitioner is of the view that charges recovered for the second pole should be refunded to her. She has claimed that she had deposited Rs. 7,400.00 vide receipt no. 3956766 dated 31.12.2013 which includes overhead line charges Rs. 6,000.00, service line charges Rs. 600.00 and security deposit Rs. 800.00. Petitioner's request through her application, as was her complaint before the Forum, is to get a refund Rs. 6,000.00 from UPCL. She has also claimed that for a distance of 44 meters she should be charged only Rs. 1000.00 for 4 meters as 40 meters distance would be free. Having regard to the justification given in the order of the Forum she has modified her request by reducing expenditure of Rs. 1,000.00 for 4 meter wire and requested refund of Rs. 5,000.00 in addition to some documents including

- i) Certified distance of the pole in her premises from the LT pole
- ii) Copy of estimate

- iii) Copy of MB
- iv) Breakup of expenditure of Rs. 19,502.00 mentioned in the order of the Forum.

Respondents have submitted documents/information vide their letter dated 23.08.2016, which has duly been sent to the petitioner vide this office letter no. 4014 dated 23.08.2016.

2. Forum in their order dated 16.05.2016 have relied on the provisions of LT Regulations, 2013 for connections up to 4 KW according to which Forum held that charges of Rs. 6,000.00 recovered from the petitioner are in order whereas the department has spent Rs. 19,502.00 on giving the above connection consequently the department had to spend Rs. 12,902.00 whereas they have recovered only Rs. 6,600.00 from the petitioner. Forum therefore held that UPCL had followed the provisions of the UERC (Release of New LT Connections, Enhancement and Reduction of Loads) Regulations, 2013 (hereinafter referred to as LT Regulations) and no relief could be afforded to the consumer. Regarding her complaint for giving connection to other consumers from the LT line constructed for her connection, the Forum has clarified that respondent can release connections to their consumers from this line in accordance with LT Regulations. Accordingly they dismissed the complaint.
3. Respondent UPCL in their written statement have included a site map to explain the location of the petitioner's premises and the location of the existing LT mains and existing 11 KV pole. As per the LT Regulations table 1 service line charges, overhead line charges and initial security for loads up to 4 KW, petitioner is liable to pay for a distance of 44 Meters only and hence she will be liable to pay only Rs. 5,000.00 and therefore be entitled to a refund of Rs. 1,000.00.
4. Record available on file has been perused and the arguments of both parties heard. UERC Regulations provide method of calculating charges for connection to small consumers. The table 1 under sub regulation 5 (10) of LT Regulations provides for service line charges, overhead line charges and initial security for loads up to 4 KW. This therefore is the estimate for the connection of petitioner. A perusal of the documents on file shows that 44 meter LT line from the existing last pole has been constructed for giving connection to the petitioner and Rs. 5,600.00 is payable by the

petitioner in accordance with the LT Regulations irrespective of the actual cost of construction of this line. The respondents have charged Rs. 6,600.00 towards the cost of overhead line charges and service line charges on the basis of proposed 58 meter LT line from the existing LT pole up to the premises of the petitioner. On actual execution only 44 meter LT line was constructed. Hence Rs. 5,000.00 on account of overhead line charges and Rs. 600 on account of service line charges total Rs. 5600.00 were chargeable from the petitioner in addition to security amounting to Rs. 800.00. Rs. 1,000.00 have therefore been charged in excess which is refundable to the petitioner. The respondents are directed to refund Rs. 1,000.00 to the petitioner. Forum order stands modified to this extent in view of the fresh facts of the case according to which connection was given by constructing 44 meter LT line through alternative route instead of originally proposed 58 meter LT line.

Dated: 26.08.2016

(Vibha Puri Das)
Ombudsman