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APPEAL PETITION No. P/009/2020  
(Present: A.S. Dasappan)  
Dated: 10<sup>th</sup> July 2020

Appellant : Sri. Vinod John  
Panachikkal House,  
Koompara Bazar P.O.,  
Kozhikode

Respondent : The Assistant Executive Engineer,  
Electrical Sub Division, KSEBL,  
Thiruvambady,  
Kozhikode

### **ORDER**

#### **Background of the Case:**

The appellant, a resident in the jurisdiction of Koompara Electrical Section, had applied for a free electric connection under BPL category under the Central Government Scheme DDUGJY on 19-10-2017. The connection was denied by the respondent due to the objection of the local people and finding out that the appellant is not eligible for connection under DDUGJY scheme as the premises unoccupied by the appellant. Aggrieved by this, the appellant filed a petition before the ADM and as per the order issued by the ADM vide No. DCKKD/15117/2018-D2, it was directed to give connection to the appellant by drawing 340 Metre single phase OH and 25 Metre WP line. Meanwhile the appellant also approached CGRF, Kozhikode in OP No. 142/2019-20 which was dismissed as the issue is pending before the ADM, vide order dated 25-03-2019. Against the decision, the appellant has submitted this appeal petition before this Authority on 04-02-2020.

#### **Arguments of the appellant**

The appellant, Sri Vinod John is residing in the jurisdiction of Electrical Section, Koompara in Kozhikode District. He had applied for electrical connection under DDUGJY scheme. Since he had not got consent for property crossing, approached ADM, Kozhikode and obtained a favourable verdict. But the concerned section authorities not implemented

the order of ADM and hence the appeal. The appellant's prayer is to direct the respondent for giving connection under DDUGJY scheme at the earliest.

### **Arguments of the respondent**

The appellant had applied for electrical connection on 19-10-2017 under BPL category and action was taken to give free connection by drawing a single phase at a length of 340 Metre after conducting inspection. The application has been received from the appellant at the last stage of DDUGJY scheme. The premises was inspected and it is found no person residing in the building. A public petition stating that Sri Vinod John is not residing in the building and requesting to prevent the unauthorized use of the scheme of DDUGJY, was received by the Assistant Engineer. Hence the appellant has been directed to remit an amount of Rs. 1,40,420/- under LE-ECSE, but not obeyed. The Consumer Grievance Redressal Forum has considered the above facts and pointed out that a petition filed by the appellant is under consideration of ADM.

As per the order issued by the ADM vide No. DCKKD/15117/2018-D2, it is directed to give connection to the appellant by drawing 340 Metre single phase OH and 25 Metre WP line. It is also pointed out difficulty to give connection by drawing 150 Metre OH line through the property of Sri Muhammed, as requested by the appellant.

The Board Order BO(FTD)No. 68/2019(D(D&IT)D6-AE4/TE dated 25-01-2019 specifies that the BPL persons are eligible for connection for the length not exceeding 200 Metre with posts. Hence it is not possible to give connection to him under BPL category. The connection shall be given if the appellant remit Rs 1,40,420/- under LE-ESCE.

### **Analysis and Findings: -**

An online hearing of the case was conducted on 29-06-2020, at 11A.M.as per prior information to both the appellant and respondent and with willingness of them. The appellant, Sri Vinod John present in the hearing and Sri. Ajayan K.K., Assistant Executive Engineer, Electrical Sub Division, Thiruvambadi for the respondent's side. On examining the petition, the counter statement of the respondent, the documents attached and the arguments made during the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decisions thereof.

The appellant is classified under BPL category and applied for domestic connection on 19-10-2017 and the house is occupied by him. The appellant applied for getting connection under DDUGJY scheme. The routes for giving connection to the appellant are one by drawing 150 metres OH line through private property and other by drawing 340 metres through a pathway. The respondent could not draw the line through the private

property limiting the length of OH line within 200 metres due to the objections of the property owners. As such the appellant approached District Magistrate for orders and an order received to draw the line through the pathway. The appellant applied for electric connection on 19-10-2017, approached District Magistrate on 27-11-2018 and the respondent submitted a proposal to ADM on 17-12-2018. As per the respondent, the DDUGJY programme was over by March 2019. As per respondent a BPL connection can be given for an OH length of 200 metre only. During the hearing, the respondent opined that if the appellant agrees to remit the cost of excess over 200 m OH line, he shall take up the matter to the higher authorities and obtain sanction for the same. Along the length of 340 m of pathway there is no building at present waiting for an electric connection, as per respondent.

A relevant portion of the Board Order BO(FTD)No. 68/2019(D(D&IT)D6-AE4/TE dated 25-01-2019 is reproduced below.

“Resolved that BPL households with a maximum of 1000W connected load shall be given free connection (WP with support posts/post insertion plus a maximum of 200m OH), using the Board fund, till the end of the plan period 2018-22 or till the fund of Rs. 50 crores allotted for “continued electrification” in the plan fund for the period is exhausted, as long as there are no other specific schemes in place for granting electricity connections to BPL households free of cost.”

The allegation of the respondent that the appellant is trying to misuse the fund of DDUGJY scheme for some others is not convincing for want of sufficient evidences and hence not admitted. The appellant has produced necessary certificate and tax receipt regarding ownership of the property and the building and also proper electrification was done as directed from the Section Authorities. The non-occupancy of the building at the time of inspection and the public objection are not sufficient reason for denying an electric connection, if the application is genuine. The Additional District Magistrate has also issued orders to give connection to the appellant by drawing 340m OH line through the pathway.

**Decision:**

From the analysis done above and the conclusions arrived at, this Authority takes the following decisions.

The respondent shall effect electric connection as ordered by the Additional District Magistrate by drawing 340m OH line through the pathway, if DDUGJY Scheme or any other schemes prevails at present after obtaining sanction from the competent authority of KSEBL. If no such schemes available, the respondent shall consider and effect connection after realizing the cost of 140m OH line under BPL category only with the direction of competent authority of KSEBL.

Having concluded and decided as above, it is ordered accordingly. The Appeal Petition filed by the appellant is found having merits and is allowed to this extent. No order on costs.

**ELECTRICITY OMBUDSMAN**

P/009/2020/ \_\_\_\_\_ /Dated: \_\_\_\_\_

Delivered to:

1. Sri. Vinod John, Panachikkal House, Koompara Bazar P.O., Kozhikode
2. The Assistant Executive Engineer, Electrical Sub Division, KSEBL, Thiruvambady, Kozhikode

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthi Bhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, Vydhyuthi Bhavanam, KSE Board Ltd, Gandhi Road, Kozhikode.