



TAMIL NADU ELECTRICITY OMBUDSMAN

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BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI

Present : Thiru. A. Dharmaraj, Electricity Ombudsman

A.P. No. 39 of 2012

M/s. S.Wilcox,
"BENISON"
No.3, First Street,
Association Road,
Madhavaram,
Chennai-600060

... Appellant
(Party in person)

Vs.

Superintending Engineer,
Chennai Electricity Distribution Circle / North,
TANGEDCO (formerly TNEB),
Anna Salai,
Chennai-600 002.

... Respondent
(Party in person)

Date of hearing : 26-10-2012

Date of Order : 20-12-2012

The above appeal petition No.39 of 2012 came up for final hearing before the Electricity Ombudsman on 26-10-2012. Upon perusing the above petition, the counter affidavit, connected records and after hearing both sides, the Electricity Ombudsman passes the following Order :-

ORDER

1. Prayer of the Appellant:

The Appellant stated that the CGRF order No.SE/CEDC / N/AEE/PRO/F.CGRF/D950/12 dated 28-7-2012 is not acceptable to her because it screens the offenders from punishment under the law and filed this appeal petition before the Electricity Ombudsman.

2. Fact of the case:

The Appellant filed a petition before the CGRF for redressal of her grievance of illegal connection from her service cable to her neighbour and is being used for illegal activities and also complained that her motor used for pumping water is not working due to poor voltage. She also stated that her neighbour's load is having a connection from her service also. The CGRF of Chennai EDC/North has given its order on 6-7-2012 wherein it has been stated that the service was inspected by enforcement wing / North and it was reported by the wing that there is no theft of energy or violation noticed in the petitioner service. The same was informed to the petitioner and the petitioner was also advised to give a complaint to the police department for redressal of her grievance as the complaint mentioned by the petitioner is not under the purview of the TANGEDCO.

3. Orders of CGRF:

The order of the CGRF of Chennai EDC / North is extracted below:-

- “1. The Petitioner has stated in the petition that the illegal connection has been given from the petitioner's UG cable and Meter box.*

- 2. The above service was inspected by the Enforcement Wing/North and it has been reported that during the inspection, no theft of energy or violation*

noticed in the petitioner's service, service connection No.066-001-53. The petitioner's service is fed through LT UG cable from Pole No.553. From the same pole services to line D.No.2 and 8 are fed through 3 phase OH service wire.

3. *During the meeting, the petitioner was informed that based on the complaint received from her, the premises was checked by our Enforcement wing and the inspection report was shown to her.*
4. *She further complained that there is some illegal connection in the under ground cable feeding to her premises and the neighbours are using the illegal connection and doing some illegal activity.*

As the complaint mentioned by the petitioner was not under the purview of TANGEDCO, she was advised to give complaint to the Police department for redressal of her grievance."

4. Contention of the Appellant:

The Appellant has contended the following in her petition:-

- i) The illegal connections etc., were admitted by the TNEB Madhavaram in 2007.
- ii) In her complaints she had mentioned proofs available at the TNEB Madhavaram computerised electricity network, joint in her power cable, Reliance telephone records and further proof is when her Sugana water pump motor worked when Mr.Ravi had rectified the voltage in her meter. TNEB Madhavaram unjustly joins hand with her neighbours, to stop water from her own bore well for past one year.
- iii) The reports of the vigilance, the TNEB Madhavaram AEE, and AE cause injury and loss to her, and her privacy is still invaded (punishment under applicable I.T. sections for the invasion). In addition, all three reports screen all the offenders, from punishment under the law.
- iv) Under what provision of Law and EB rules are the Ombudsman of Electricity Regulatory Commission, the Chairman, TNEB, the Chairman

CGRF and the Chief Engineer CEDC/N; wrongfully accepting the evasive deceptive reports of the vigilance and TNEB Madhavaram AEE and AE, for which she had cited the above mentioned IPC section Nos.?

- v) Without her permission/prior intimation to her the TNEB Madhavaram had given her neighbours illegal connections to her power cable for power theft, the 44 power points misused for illegal cameras, and mike and speaker system, and the illegal temporary, high tension connection at the top of her privately owned house, misused for Fernandez bomb making machine. Obviously the permanent high tension connections are in the neighbours house.
- vi) In her presence, the then Foreman informed the AE that she was speaking the truth, as her neighbours usually loop all three phases of her meter box, onto a single phase, and switch off the power for her house, whenever they wish.
- vii) Knowing the truth, and mentioning the offence in her presence, TNEB Madhavaram did not remove the illegal connections from all her neighbour's houses, to prevent the offences of switching off the power for her house, and power theft.
- viii) Verified the voltage in her meter box, and two or three neighbours meters, which does not disprove the illegal connections to her power cable, and the 44 power points from her house, given by the TNEB Madhavaram to her neighbours, and which was openly admitted in 2007 by the TNEB Madhavaram, yet denied in 2012 by the TNEB Madhavaram and vigilance, just to cause injury to her, also to cover the offences and screen the offenders from punishment.
- ix) The TNEB Madhavaram personnel have also committed "house trespass" to fix the illegal temporary high tension electrical connection without her permission, at the top of her privately owned house.
- x) The available proofs of evidence in the TNEB Madhavaram computerised network, the illegal joint in the u/g power cable for her house; the proof of evidence over phone TNEB Madhavaram admitting to her, that TNEB Madhavaram had given Leslie Fernandez connections to her power cable etc., are ignored.

- xi) Put up to the Directorate of Vigilance and Anti Corruption, all her complaints mentioning the proofs as above, together with the evasive deceitful Reports of the Vigilance (Enforcement Wing) and TNEB officers which do not disprove the proofs in her complaints or disclose the truth so that the case may be enquired into and justice rendered.
- xii) For reasons best known to the TNEB Madhavaram and all her neighbours , ever since the meeting was convened at the CE Office on 6-7-2012, from that evening, and till date, this street is in complete darkness, except for the light at the entrance of this street. Two men in a TNEB van changed the bulbs, but for the past one month, the street is in darkness.

5. Contention of the Respondent:

The respondent has contended the following in his counter:-

i) As per the records available in the office of AE Operation and Maintenance Madhavaram I there is no joints available in the Appellant's power cable further the problem related to the appellants bore well and Suguna water pump does not come under the scope of TANGEDCO.

ii) The officials of TANGEDCO have checked the appellant's three phase service connection A/c.No.066-001-53 on 4-4-2012 at 3.00 pm in presence of the appellant and found the supply voltage was in order. The voltage profile taken at the output of her energy meter was 220 volts between R-N 223 volts between Y-N 222 volts between B-N, which shows that the water pump of the appellant is not in condition and her request of deputing TANGEDCO's staff for rectification of water pump could not be considered.

iii) The inspection reports given by the officials of TANGEDCO was in order and there is no illegal connection available in the appellant's power cable as mentioned in the Appellant's petition, the 44 power points mentioned in the petition are all the internal power points owned by the appellant and TANGEDCO has no role in these power points. He further submitted that the appellants neighbour Mr.Fernandez is having a permanent legal service connection given by TANGEDCO vide A/c.No.066-001-150 through over head line which does not cross the appellant's house.

iv) The appellant has a separate three phase 4 core under ground cable running between the RCC pole to energy meter, all the cores are found separated and not looped as mentioned in the petition and neighbours could not have a control over this cable.

v) The TANGEDCO have not done "house trespass" and not given any illegal temporary connection at the top of appellants house as mentioned in the petition, these are all the false and imaginary issues created by the appellant.

vi) Thiru Leslie Fernandez has got an authorised service connection A/c.No.066-001-150 through an over head line, the appellants statement of TANGEDCO given him an illegal service connection from her power cable is false and imagination and liable to be dismissed.

vii) The Chennai Corporation controls the operation and maintenance of street lights of the Appellants street, hence TANGEDCO could not be held responsible for the darkness of the appellant's street.

viii) Enforcement Wing/North Chennai squad and informed that during the inspection no theft of energy or violation noticed in the above said service connection and its LT cable and also no energy theft or violation were found at the adjacent and opposite premises to the appellants residence.

From the pole No.553 the service connection No.066-001-53 is connected through an under ground cable.

From the Pole No.553 two separate 3 phase over head service wires are connected to the services of D.No.2 and 8 respectively.

ix) During the CGRF meeting convened on 6-7-2012 the petitioner complained that there is some illegal connections in the UG cable feeding to her premises and the neighbours are using the illegal connection and doing some illegal activity, which is not under the jurisdiction of TANGEDCO. The petitioner was

requested to give the complaint to the Police department. Also the above oral statement of the petitioner was communicated to the Commissioner of Police, Egmore, Chennai for necessary action vide this office letter dated 28-7-2012.

6. Hearing held by the Electricity Ombudsman:

A hearing was held on 26-10-2012 to enable the Appellant and the Respondent to put forth their arguments in person.

7. Argument of the Appellant :

7.1 The Appellant herself presented the case, she reiterated the contents of the petition. She argued that during 2007, the then AE and Foreman have admitted that there is an illegal connection in her power cable over phone and this could be verified with records available with BSNL. She also informed that her water pump is not working due to low voltage and requested for deputation of Mr.Ravi for attending the above. She argued that there is a HT connection at the top of her house. She informed that the 44 power points inside her house are being misused (by her neighbour) for the illegal cameras and mikes and speaker system. She also informed that the road was not digged so far to ascertain whether any neighbours house was illegally connected from the service line of her service. She also complained that her house supply was controlled by the neighbour and switched of whenever they wish to cut supply to her house. She also informed that in the switch box at the upstairs of the house is having illegal connection from Fernandez side are to be removed.

8. Argument of the Respondent :

8.1 Thiru Shanmugam, SE/CEDC/North himself attended the hearing. He also reiterated the contents of his counter.

8.2 The SE/CEDC/North informed that as per their office record no tapping is taken from the service cable of the Appellant. He argued that all the services connected to the service pole of the appellant are fed through separate service lines and not tapped from any other service line.

8.3 Regarding low voltage, he informed that the voltage at meter terminal is measured and is 220V, 223V and 222 volts in R, Y & B phase respectively. Regarding low voltage for the motor, the SE argued that it is inside the consumer premises and hence, the consumer has to check her wiring with a qualified person.

8.4 With regard to the contention of the Appellant that there is a temp HT connection at the top of her house, he informed that only LT supply is available in the street and hence ruled out the availability of any HT supply in her house. He also informed that there were three transformers supplying various connections in that area but only one transformer is feeding the street in which the Appellant's house is situated. However, he informed, alternate feeding could be arranged from the transformer in case of any emergencies.

8.5 Regarding illegal activities in neighbour house and fixing of cameras, mikes in her house, he informed that all are not coming under the licensee's role and hence he said that the licensee cannot take any action on the above.

8.6 The SE/CEDC/North has offered to change the UG service cable into OH service wire if the consumer opts for it. He also agreed to arrange to dig the road in the presence of the consumer to verify whether any service wire has been connected to the service wire of the Appellant.

8.7 He also informed that enforcement wing of the licensee has inspected the services of the Appellant and her neighbours and no theft or violation is noticed in any of the services.

9. Written Argument of the Appellant:

M/s. Wilcox has given her written argument dt. 19-11-2012. In the written argument also she has elaborately informed about the illegal activities of her neighbour as those details are not connected with grievances which can be taken by the Electricity Ombudsman, they are not detailed here. Similarly, the arguments which were already made in the petition was also not furnished below to avoid duplication. Only the prayers as furnished in her written argument is furnished below:-

1. Permanently remove all illegal high tension connections given for the bomb making machine. The radiation and toxic substances used for the Bomb making is a threat to her health and her home.
2. Permanently remove all illegal connections to her power cable inside all her neighbours houses and in the surrounding area, and please initiate criminal action Sec., 151B and other applicable sections of IPC, I.T. ACT etc, against all her neighbours and others who have the illegal connections, and monitors for the illegal cameras etc.
3. Remove the illegal live wires from the switch box upstairs coming from the Fernandez's side, and from any where else. The Foreman, Oscar Bayer has destroyed proof of evidence against the TNEB for the illegal connections given to Leslie Fernandez, which cannot be construed as if there are no illegal connections. The proof of evidence will be found in the locality. The EB office is quite close by, and the Foreman has been shifting the proof of evidence to nearby places. Oscar Bayer is to be charged u/s. 166 for abetment, 201 destruction of evidence, 406 breach of trust, IPC.
4. Remove the electrical connections misused for the illegal cameras etc., inside all the houses, all her neighbours and in the surrounding area. She has a right to privacy in her own home.

5. Initiate action against the erring Staff who gave connections to her neighbours. Initiate action against the senior officers who failed to admit the truth regarding her unique identification line No. in all her neighbours houses, and the surrounding area. Neighbours prove the EB & Vigilance Reports false, by switching off the power for her lap top each time she type a petition/complaint. Neighbours also tamper with her petitions, by changing the spelling or deleting words. In addition they switch off the power for her house daily.
6. In compliance with the Law, please take appropriate criminal action against the TNEB officers and the Vigilance team, for their evasive and false written Reports which caused her injury, screened all the offenders from punishment under the LAW, and also covered up the terrorist activities of her ex-convict neighbours, which poses a threat to her and her sister's lives, and to her house that she live in. TNEB Officers and the Vigilance team never disproved the available truth of evidence mentioned by her in her complaints, and failed to provide any proof of their false statements.
7. Till date Mr. Ravi is yet to be deputed to correct the voltage for the phase in which her Suguna motor is housed. Hence TNEB has inhumanly permitted her neighbours to stop the water from her motor from 16.08.2011 and till date. Your instruction on 26.10.2012 to the SE to send Mr. Ravi to rectify the voltage in her meter box so that she get water, was not followed. she is unable to get water due to neighbours using a small apparatus to lower the voltage, which can be corrected by TNEB.
8. Since the offences by the TNEB Senior Officers, complained in her petitions are criminal offences and are attributable to the failure to discharge their duty as per the Law i.e. the past team from Madhavaram granted a criminal request for high tension connections for illegal bomb making on her privately owned property, Leslie Fernandez ex-convict retired watchman who is only a free occupant, as per TNEB records and aided and abetted by the present team of TNEB Officers and Vigilance by their false written Reports which caused her injury, and screened all the offenders from punishment under the Law, and also covered up the terrorist activities of her ex-convict neighbours. she insists on all the IPC section Nos. quoted in her complaints be strictly applied against all concerned.

9. Failure for any or all of the above, in two weeks time from receipt of this petition, she will be constrained to file a suit for compensation and damages equivalent to the prevailing market price of her property for deficiency in service, the illegal HT and LT electrical connections given by TNEB for illegal bomb privately organised by Leslie Fernandez and all her other neighbours, and additional compensation for damage to her and her sister's reputation, (caused by the rape photos being shown to everyone, even abroad) invasion of privacy, physical harm, for the danger to their health, their lives, trauma, mental agony, and destruction of all household electrical appliances, for vandalism to her building etc.

10. Issues for considerations:

10.1 In the petition, the Appellant has raised lot of issues which are not connected with electricity service related. As per Regulation 2 (f) complaint means any grievance made by a complainant in writing on.

(i) defect or deficiency in Electricity service provided by the licensee.

(ii) Unfair or restrictive trade practices of a licensee in providing electricity services.

(iii) Charging of a price in excess of the price fixed by commission for consumption of electricity and allied services.

(iv) Electricity services which will be unsafe or hazardous to public life in contravention of provisions of any law for the time being in force.

10.2 Hence, the following prayers of the Appellant which are related with Electricity services provided by the licensee alone considered for redressal.

(i) Permanently remove all illegal connections tapped from her power cable.

(ii) Permanently remove the temporary high tension connections given on the top of her house.

(iii) The Suguna Water pump is not pumping water due to low voltage. This has to be rectified.

(iv) Remove the Electrical connections in her 44 power point misused for the illegal cameras, mikes, speaker system etc. Remove the illegal live wires from the switch box upstairs coming from Fernandez's side.

(v) Her neighbours loop all the three phases of her meter box into a single phase and switch of the power to her house.

(vi) Initiate action against the erring staff who gave service connections to her neighbours.

10.3 During the hearing on 26.10.2012, the appellant was informed that the Electricity Ombudsman has only jurisdiction to redress the grievance of the consumer which are related to the electricity service provided by the licensee. The regulation 2(f) was also read on that day.

11. Findings:-

11.1 I have heard the arguments of both the appellant and the respondent. On a careful consideration of the appeal petition, counter, arguments of the Appellant and the Respondent on the hearing date and the written arguments, the findings of the Electricity Ombudsman is discussed below in prayer wise.

11.2 Prayer 1:-

11.2.1 The Appellant argued that connection were illegally made to the service cable of the appellant to supply electricity to the service connection of her neighbours. She also informed that during 2007, the then Assistant Engineer and Foreman have admitted over phone that there is an illegal connection in her power cable. She argued that the above conversation will be available in the records of BSNL.

11.2.2 The Superintending Engineer /CEDC/ North informed that as per the records available in the office of Assistant Engineer / O & M, Madhavaram I, there is no joints available in the power cable which is supplying power to the Appellants service. He informed that the Appellant's service was connected by an Under Ground Cable and whereas all the other services are having overhead connections. He also informed that Mr. Leslie Fernandez is having overhead service wire from another pole. He also informed that all the eight service connections in the street are given by the licensee only and no service is illegal. He also explained that if the consumer feels that there is an illegal connection from her service cable, because it is Under Ground he is ready to change it as overhead. He also suggested to dig the street in the presence of the consumer if she is willing to inspect the cable. The Superintending Engineer has also furnished the sketch showing the street, houses, the LT line and the service cable to substantiate his claim. He also informed that the enforcement wing of the licensee have inspected the site and reported that there is

no theft or violation in the service of the Appellant and in the adjacent and opposite premises to the said location.

11.2.3 The Appellant also agreed that her service cable is Under Ground. But she is not willing to accept the version of the Superintending Engineer that there is no tapping from her cable.

11.2.4 On an examination of the sketch furnished by the Superintending Engineer, it is noted that four number services were connected to pole No. marked as P1. Out of the four services three services are given to the premises on the Appellant's side of the road. Out of the three services two services are overhead and the Appellant's service alone is supplied through underground cable. The service on the opposite side of the Appellant was also through OH. Similarly, three services were effected from pole P2 through OH and one service is effected from pole P4 through UG.

11.2.5 On a plain view of the sketch it is noted that all the premises in the streets are having service connection obtained from the licensee and hence are legal only.

11.2.6 Further, the Superintending Engineer has stated that there is no tapping in the service cable of the appellant to supply power to any other consumer.

11.2.7 Further as per Regulation 29 (17) of the Distribution code, the entire service line will be the property of the licensee and the licensee will maintain it at his/her cost.

11.2.8 Hence, the UG cable connecting the Appellants premises with the Distribution main is the property of the licensee. Hence, any tapping taken from the underground will be known to the licensee. As the SE/CEDC/North has categorically stated that there is no tapping, I am of the view that there is no illegal tapping as contended by the Appellant. However, to clear the doubt of the Appellant, the licensee may open the service cable route in the presence of the Appellant and show the service cable to Appellant for verification of the tapping if any duly collecting the charges if any for digging the street.

11.3 Prayer II:-

11.3.1 The Appellant has stated that the HT Connection given on top of her house is to be removed.

11.3.2 The Superintending Engineer/CEDC/North informed that no high tension service is available in the street and all the services effected in the street are LT only.

11.3.3 The Appellant was requested to inform whether she will be able to differentiate between a low tension supply and a high tension supply. She said she does not know. But she informed that the Bomb making machine used by her neighbour is running on HT supply and there is HT connection on her house top.

11.3.4 The Superintending Engineer/CEDC/North has stated that he has inspected the site and informed that no HT supply is available in the Appellant's street.

11.3.5 The Enforcement wing have also inspected the site and said there is no theft of energy or violation in Appellant's house. The illegal high tension connection if available would not have escaped from the inspection of the enforcement wing.

11.3.6 He also argued that TANGEDCO have not done house trespass and given any illegal connections at the top of the Appellant's house as mentioned by the appellant.

11.3.7 As Superintending Engineer/CEDC/North has categorically stated that no HT supply is available in the house of the Appellant and the appellant informed that she does not know to differentiate between HT< connections, and as the enforcement wing informed that there is no violation or theft in the service of the appellant. I am to agree with the version of the SE/CEDC/North only. As there is no HT connection at the top of the house, the question of removal does not arise.

11.4 Prayer III:-

11.4.1 The Appellant argued that her Suguna make water pump is not pumping water due to low voltage. She also argued that previously Thiru Ravi, one of the employee of TNEB has attended the low voltage problem in her pump and made the pump to pump water. She requested that the same person may be deputed to set right her voltage problem of that pump.

11.4.2 The respondent argued that the voltage was measured in the Appellant's service connection on 4.4.2012 at 3 p.m. in the presence of the Appellant and found to be 220 volts in R phase, 223 volts in Y phase and 222 volts in B phase. Hence, he argued that the voltage at the output of the meter is satisfactory and hence, non pumping of water by the pump of the Appellant, may be due to some other defect in the pump and not due to the low voltage. Further, he also argued that, after the meter output point the licensee has no responsibility. Hence, it is the duty of the Appellant to check her installations for proper functioning. However, he agreed to depute Mr. Ravi, as a gesture of good will.

11.4.3 In the written argument , the appellant informed that Mr. Ravi was not deputed to attend the defect as agreed on the date of hearing.

11.4.4 The SE/CEDC/North in his letter dt. 7.12.2012, informed that Mr. Ravichandran, Helper was deputed for attending the water pump work on 19.11.2012 and 27.11.2012. But the petitioner house was sealed and door locked condition on both days. Subsequently the above staff is on medical leave due to fracture in his leg from 3.12.2012 to 10.12.2012 hence, he informed that the above person will be deputed to carry out the above work after he join duty on 11.12.2012.

11.4.5 In this regard, Regulation 30 (1) of the Distribution code is extracted below:-

"30. CONSUMER'S INSTALLATION:

(1) The consumer's installation should invariably comply with the statutory provisions contained under section 53 of the Act relating to wiring and equipment. The responsibility with regard to maintenance or testing of equipments and wiring on consumer's premises shall lie upon the consumer."

11.4.6 It is noted from the said regulation 30(1) of the Distribution code, that it is the responsibility of the consumer to maintain the equipment and wiring of the consumer installation. As the voltage is satisfactory at supply point (i.e.) output

terminal of the meter any drop in voltage in her installation has to be attended by the consumer only.

11.4.7 The argument of the respondent that beyond the meter point any defect to be attended by the Appellant only is reasonable and I am in agreement with the above contention as the above is as per Regulation 30.1 of the Distribution code. However, as agreed by the appellant on the hearing date, Thiru Ravi may be deputed for attending the low voltage problem in the pump The voltage at the pump terminal may also be recorded and intimated. The respondent is required to send a compliance report on the above within 30 days from the date of this order.

11.5 Prayer IV:-

11.5.1 The Appellant has prayed for removal of the electrical connections in her 44 power points misused for illegal cameras, mikes, speaker system etc and also argued to remove the live wires from the switch box in upstairs coming from Fernandez side.

11.5.2 The Superintending Engineer/CEDC/North informed that the 44 points mentioned by the Appellant are all the internal power points owned by the Appellant and TANGEDCO has no role on these power points. Similarly, the live wire in staircase switch box also coming within her premises only and hence licensee has no role on the above also.

11.5.3 In this regard, I would like to refer regulation 7(4) of the Supply Code and Regulation 30(1) of the Distribution Code. They are extracted below:-

“7. Installation of Meter

(1) x x x x x x x x x x

(2) x x x x x x x x x x

(3) x x x x x x x x x x

(4) The meter shall ordinarily be installed at the point of entry to the consumers premises at a suitable and easily accessible place as the Engineer

may decide. After installation, the security seals shall be affixed in the presence of the consumer or his representative on the meter box cover, current transformer chamber, terminal cover of the meter, test block, cut outs, air-break switch and gate and such other part of the installation as the Licensee may decide. The consumer shall be responsible to ensure that the meter and the seals are not stolen, damaged or tampered with. The consumer shall run his wiring from such point of supply.

30. CONSUMER'S INSTALLATION:

(1) The consumer's installation should invariably comply with the statutory provisions contained under section 53 of the Act relating to wiring and equipment. The responsibility with regard to maintenance or testing of equipments and wiring on consumer's premises shall lie upon the consumer."

11.5.4 It is noted from the said regulation 7 (4) of the Supply Code that the consumer has to run his/her wiring from the point of supply, and as per the said regulation 30 (1) of the Distribution Code, the consumer is responsible for testing and maintenance of the equipments and the wiring on the consumers premises.

11.5.5 As all the 44 power points referred to by the appellant consumer are part of consumer installation, it comes under consumer's responsibility as per the said regulations 30.1 of the Distribution Code.

11.5.6 With regard to the statement of the Appellant that the internal power points of her house are misused for the illegal cameras, mikes, speaker system, etc. and hence TANGEDCO has to take action to remove it, I am of the view that TANGEDCO has no role on the wiring inside the premises of the consumer and TANGEDCO can not take any action on the above complaint. Hence, the Appellant may seek remedy for the above prayer from the appropriate authority.

11.6 Prayer V:-

11.6.1 The appellant complained that her neighbours usually loop all three phase of her meter box into a single phase and switch off the supply for her house. She also complained that her supply is being controlled by her neighbours.

11.6.2 The SE/CEDC/North informed that the appellant has a separate three phase 4 core under ground cable running between the RCC pole to energy meter. He also informed that all the core are found separated and are not looped as mentioned in the petition and the neighbours could not have control over this cable.

11.6.3 The appellant has not produced any evidence for looping the three phase of her meter box .

11.6.4 The licensee has informed that all the cores of the UG cable are found to be separated and not looped as mentioned by the appellant and also informed that the supply could not be controlled by the neighbours. It is also noted that the enforcement wing has also inspected the site and have informed there is no violation or theft in the service. Had the looping as stated by the appellant is available at the meter point the enforcement wing would have noticed that and informed the above in their report. But, no such thing is reported in the enforcement wing report.

11.6.5 Inview of the above, I am agreeable with the respondents version of no looping in the service at the meter box.

11.7 Prayer Vi :-

11.7.1 The Appellant also requested action against those officials, who have effected connection to the neighbours.

11.7.2 The Respondent argued that the Appellant's neighbour Thiru Leslie Fernandez has got an authorized service connection No. 066-001-150. The

Superintending Engineer /CEDC/North also informed during the enquiry that all her neighbours are having legal service connection and there is no theft of energy or violation noticed in those services. The Executive Engineer / Enforcement has also informed that the service of the Appellant was inspected by the Enforcement / North Chennai squad and the following are the observation.

“With reference to the memo cited, the service A/c No.066-001-53, Tariff IA, in the name of M/s Shelve Wilcox at door no.3, 1st Street, association road, Madhavaram, Chennai 60 was inspected by Enforcement /north Chennai squad.

During inspections the following observations were made.

(i) The 3 phase service of the petitioner fed from the LT pole no.553 opposite to the premises in door no.2, through a 25 sq. mm 31/2 core LT aluminum cable.

(ii) During the inspection no theft of energy or violation noticed in the said A/c No. and its LT cable and also no energy theft or violation in the adjacent and opposite premises to the said location were noticed.

(iii) From pole no.553, two separate 3 phase overhead service wires are connected to the services of door no.2 and door no.8 respectively.

11.7.3 On a careful reading of the report of the enforcement wing also, it is noted that no theft of energy or violation is noted either in the appellant's premises, or in the opposite and adjacent premises.

11.7.4 As, the licensee has informed that all the services effected are authorized service connections, I am of the view that there no prima facie to order action against the officials of the licensee.

12. Conclusion :

12.1 In view of my findings in para 11 above, I am unable to interfere with the order of CGRF of Chennai EDC/North. However, the respondent is directed to furnish the compliance report on prayer III as stipulated in para 11.4.7 within 30 days.

12.2 With the above findings, the Appeal Petition No. 39 of 2012 is finally disposed of by the Electricity Ombudsman. No Costs.

(A. Dharmaraj)
Electricity Ombudsman

To

1) M/s. S.Wilcox,
"BENISON"
No.3, First Street,
Association Road,
Madhavaram, Chennai-600 060.

2) Superintending Engineer,
Chennai Electricity Distribution Circle / North,
TANGEDCO (formerly TNEB),
Anna Salai,
Chennai-600 002.

3) The Chairman & Managing Director,
TANGEDCO,
NPKR Malaigai,
144, Anna Salai,
Chennai – 600 002.

4) The Secretary
Tamil Nadu Electricity Regulatory Commission
No.19A, Rukmini Lakshmi pathy Salai
Egmore,
Chennai – 600 008.

5) The Assistant Director (Computer) - **FOR HOSTING IN THE WEBSITE**
Tamil Nadu Electricity Regulatory Commission,
No.19A, Rukmini Lakshmi pathy Salai,
Egmore,
Chennai – 600 008.