

**Before the Ombudsman, KERC, Bangalore**  
**Present: Shaik Ahmed,**  
**Ombudsman**  
**Case No.OMB/B/G-13/2006/**  
**Dated : 09.10.2006**

**Appellant:**

Shri Narasimhamurthy,  
No.23, Old No.8, 1<sup>st</sup> Cross,  
Manjunathnagar,  
Bangalore 560023

**Respondents:**

1.The Asst.Executive Engineer(Ele)  
N-1 Sub Division Rajajinagar,  
**BANGALORE-560010**

2. The Asst.General Manager,  
N-1, Sub-Division, BESCOM,  
West of Chord Road,  
Rajajinagar,  
**BANGALORE-560010**

3.The Consumer Grievance Redressal Forum,  
BESCOM, Central Stores Premises,  
Near ESI Hospital, Rajajinagar,  
**BANGALORE-560010.**

The Appellant has preferred this appeal against the order passed by the 3<sup>rd</sup> Respondent on 25.07.2006 in case No.CGRF/71/2006/920. The case of the Appellant is that he has applied for a power connection to his building bearing No.23, Old No.8, 1<sup>st</sup> Cross, Manjunathanagar, Bangalore-560023. The 1<sup>st</sup> Respondent after inspecting the building has sought the approval of 2<sup>nd</sup> Respondent through the Executive Engineer (Ele) North Division for providing

power connection to the said building which has been constructed below the EHT line. The Appellant has remitted a sum of Rs.1000/- towards the estimate/measurement report. The 2<sup>nd</sup> Respondent has examined the case and rejected the recommendations of the 1<sup>st</sup> Respondent on the ground that the building in question is constructed below the EHT line and no power could be sanctioned to such buildings for safety reasons. Further, the 2<sup>nd</sup> Respondent has objected the conduct of the Executive Engineer(ele) North Division for recommending the case which has no legal sanction.

Aggrieved by the action of the 2<sup>nd</sup> Respondent, the appellant has filed a petition before the 3<sup>rd</sup> Respondent seeking a direction to the 1<sup>st</sup> Respondent to provide power connection. The 3<sup>rd</sup> Respondent, after examining the documents put forth by the parties, has rejected the petition on the ground that Clause 4(c) of KERC Grid Code, 2005 does not permit construction of buildings below EHT lines.

I have gone through the records placed before me by both the parties. The Appellant has constructed the building under EHT line (66 KVA) and as per Clause 4(c) of KERC Grid Code, 2005, no building could be constructed below the EHT lines. Construction of building below the EHT line is against the law and hence no power could be sanctioned to such building for safety reasons.

It is unfortunate that the field officers have recommended to their higher ups for sanction of electricity connection to a building which has been constructed right below the EHT line against the provisions of KERC Grid Code 2005. It was expected of these field officers to keep the Appellant apprised of

the position of law at the time of filing application for power connection. This could have prevented the Appellant from wasting his time in pursuing the case which does not fit into the provisions of law. The 2<sup>nd</sup> Respondent is absolutely right in objecting to the conduct of the field officers and warning them against making such recommendations in future.

The impugned order is in accordance with law and needs no interference. The Appeal is, therefore, rejected.

The 1<sup>st</sup> Respondent will take action to refund the fee to the Appellant which he has paid at the time of filing his application.

(Shaik Ahmed)  
Ombudsman

TO:

1. Shri Narasimhamurthy, No.23, Old No.8, 1<sup>st</sup> Cross, Manjunathnagar Bangalore 560023
2. The Consumer Grievance Redressal Forum, BESCO, Central Stores Premises, Near ESI Hospital, Rajajinagar, Bangalore-560010.
3. The Asst.General Manager, N-1, Sub-Division, BESCO, West of Chord Road, Rajajinagar, Bangalore-560010
4. The Asst.Executive Engineer (Ele), N-1 Sub-Division, BESCO, Rajajinagar, Bangalore-560010

5. The Managing Director, BESCO Corporate Office, K.R.Circle, Bangalore-560001

6. The General Manager, (Tech), BESCO, Corporate Office, K.R.Circle, Bangalore-560001.

7.PS to Chairman

8.PS to Member-I

9.PS to Member-Tech

10.Consultant (C.A.)

11. Chairpersons of all Grievances Fora for information