

OFFICE OF ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

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Appeal No.24/2025

(Against the CGRF-BYPL's order dated 07.05.2025 in Complaint No. 568/2024)

IN THE MATTER OF

Shri Jagjit Singh

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri Jagjit Singh along with Ms. Megha Malhotra, Advocate.

Respondent No.1: Shri Pawan Verma, CO (D), and Shri Akash Swami, Advocate, on behalf of BYPL.

Respondent No.2: Shri Ranjiv Khanna, along with Shri Arhum Sayeed, Shri Rahil Ahmed and Shri Karitkey Arora, Advocates.

Date of Hearing: 23.07.2025

Date of Order: 24.07.2025

ORDER

1. Appeal No. 24/2025 dated 19.05.2025 has been filed by Shri Jagjit Singh, C/o 1900, Chandni Chowk, Opp. Bank of India, Delhi – 110006, through Advocates of M/s Tripaksha Litigation, Advocates, against the Consumer Grievance Redressal Forum – Yamuna Power Limited (CGRF-BYPL)'s order dated 07.05.2025 (Complaint No. 568/2024) in the case of Shri Ranjiv Khanna Vs. BYPL.

2. The background of the case is that Shri Ranjiv Khanna, who has approached the CGRF-BYPL, as a complainant, on the direction of the High Court of Delhi in LPA 819/2024 dated 23.08.2024, in the matter of shifting of meter. He submitted that he is a permanent resident of property bearing No. 1899 Main Road, Chandni Chowk, Delhi -110006, which is an old constructed four storey building. He resides at the second floor and runs an apparel



business from the first floor of the same property. Access to this property is only through a three feet wide staircase, where an electricity meter bearing No. 100217044, which belongs to the adjacent property of premises/shop No. 1900, is installed in the middle of the staircase. The said meter has caught fire on several occasions in the past, i.e. in 2005, 2010 and on 11.07.2023. Furthermore, property No. 1900 is a separate shop with a different municipal number, address and having a separate entrance. Consequently, he requested the Discom to shift the said meter, including his own five meters, from the staircase to outside the building at his own expenses because these electric meters have put a threat to the whole building. The complainant, Shri Ranjiv Khanna, also submitted that the owner of Shop No. 1900, Shri Jagjit Singh, who is Respondent No. -2 (now Appellant before this Court) has filed a civil suit (No: CS-SCJ 595862/2016) against him seeking permanent injunction for having access to the complainant's building for the purpose of inspecting the electricity meter and to prevent him from installing a shutter in his property. To substantiate his claim, the complainant submitted all the relevant documents, i.e. a site sketch showing staircase, copies of pleadings from civil suits, a short affidavit and photographs of the property, in question, filed by the Discom before the High Court, etc., which were taken on record by the Forum.

3. Shri Ranjiv Khanna filed a rejoinder on 06.02.2025 alleging that the officials of the Discom in connivance with the occupants of Shop No. 1900, trespassed his property. He also mentioned the safety advisory to consumers by BRPL and the circular from Govt. of NCT of Delhi dated 01.03.2011 regarding fire and safety provisions. This information was provided to the Forum, where he requested that the meter of Shop No. 1900 be installed outside the shop on a wooden plank as fixed at nearby shops, such as, shop No. 1898 and 1901. Despite these, the Discom had installed the meter, in question, on its existing location in connivance with the owner of Shop No. 1900, and in the rejoinder he reiterated his request, for shifting of the meters.

4. In response, the Discom submitted that the complainant seeking the removal of the electricity connection bearing CA No. 100217044 of shop No. 1900, situated on the ground floor of the adjacent building, registered in the name of Ms. Rajinder Kaur (now deceased). Therefore, it is necessary to make her a party for proper adjudication of the complaint. Therefore, Shri Jagjit Singh, the legal heir of Ms. Rajinder Kaur, was impleaded as a Respondent No.-2, in the matter before the Forum.

The Discom further submitted that there is an ongoing civil suit No. CS SCJ 595862/2016 filed by the owner's deceased husband, Late Shri Dalip Singh, against the complainant (Shri Ranjiv Khanna) seeking a permanent injunction for having continued uninterrupted access to the staircase for inspecting the electricity meter and also preventing the complainant from installing a shutter at the said premises. The said civil suit is still



pending for adjudication before the Hon'ble Court of Civil Judge, Tis Hazari Courts, Delhi. Moreover, the complainant has also not produced any title document to prove his ownership. Therefore, the complaint is not maintainable.

5. Shri Jagjit Singh (R. No.-2) denied the allegations made by the complainant (Shri Ranjiv Khanna) regarding the meter tempering or unauthorized abstraction of electricity, asserting that he had no access to the internal mechanism of the said equipment in question. Therefore, allegation of tampering is baseless and unsubstantiated. Further, the complainant (Shri Ranjiv Khanna) has filed this complaint with an ulterior motive of usurping the property under the garb of present relief of removing the electricity meters from the right wall of his (Shri Jagjit Singh's - R. No. -2) property. Furthermore, the electric meter was burnt due to the reason of ' loose terminals', as confirmed by the Discom's lineman. It was never a pre-planned conspiracy as alleged by the complainant, as such incident has never happened earlier. Therefore, the complainant must submit the laboratory report for record. Regarding the disconnection of his electricity supply, he emphasized that the Discom to adhere to Section 56 of the Electricity Act, 2003 – after due notice and in accordance with the DERC's Supply Code, 2017, and cited judgements passed by the various courts in this regard, i.e., MCD Vs. North Delhi Power Ltd (2007) 3 SCC 399 and Ajay Bansal vs. Yamuna Power Ltd., 2010 SCC Online Del 2797.

6. The CGRF-BYPL, in its order dated 07.05.2025, observed that both the parties are already in litigation in the Civil Court. However, the present complaint is related to shifting of the meters and is well within the jurisdiction of the Forum. The Forum explained the legal position of the case by citing Regulation 22(1) of DERC's Supply Code, 2017, along with advisories issued by the Delhi Fire Services to the Discoms vide Ref. No. F6/DFS/MS/2019/5569 & F6/DFS/MS/Misc/2019/7690 dated 13.09.2019 and 20.12.2019 respectively. Furthermore, the Forum stated that the staircase in question is the only source of moving to and fro in the building and can be life-threatening risks at any point of time. Consequently, in the wake of the recent fire incidents, the Forum directed the Discom to shift/relocate all the meters (6) installed inside the staircase to the outer walls or any other suitable place.

7. The Appellant (R. No. -2 in the case at CGRF), Shri Jagjit Singh, dissatisfied by the above mentioned order, has filed this appeal on the following grounds:

(a) Shri Ranjiv Khanna (Respondent No. 02, in this court) is a habitual litigant and has filed multiple frivolous cases against him.

(b) During the cross examination on 05.05.2025 in the litigation titled Sardar Dalip Singh VS Vivek Khanna (in CS SCJ 95862/2016), Shri Ranjiv Khanna (R.No.-2) had admitted that he has been residing at 87, South Extension, New

Delhi, for the last two years. Therefore, he has no proper title and ownership documents to seek the relief of removal of electricity meter.

(c) Shop No. 1900 is an independent unit with a separate Municipal number, title and entrance, and distinct from Property No. 1899, therefore, the electric meter serving supply to the Shop No. 1900, is rightly placed and does not encroach upon the R. No. -2 exclusive spaces.

(d) No neutral or independent technical inspection/site survey was ordered before directing to the order for the relocation of the meter.

(e) The Forum cites advisories from the Delhi Fire Services and the Directorate of Education, however, these circulars are general in nature and not mandatory statutory directions. Therefore, its application to private commercial premises with pre-existing infrastructure should be evaluated on a case-to-case basis.

(f) The Forum's direction for the relocation of all six meters under a single direction imposes collective liability on the Appellant.

(g) The Forum did not record any specific findings regarding non-compliance, tampering or safety breach in connection with Meter No. 100217044 (Appellant's Meter).

(h) All the electricity meters are installed in the staircase at Chandni Chowk, which can be verified by a physical inspection of the area.

(i) The Appellant was not given an opportunity to present ownership documents or technical reports that could disprove the claim that the meter obstructed an escape route.

(j) Relocation of the meter for Shop No. 1900, may result in interruption of essential electricity supply and adversely affecting his business operations.

The Appellant has requested as under:

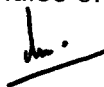
- (i) To set-aside or modify the CGRF-BYPL's order dated 07.05.2025, specifically to exclude the meter installed for Shop No. 1900 from the relocation directive.
- (ii) To order for a technical inspection and site verification by a neutral authority before issuing any fresh directions.
- (iii) To stay for implementation of the CGRF's order in respect of his meter, till pending disposal of this appeal.



8. The Discom, in its written submission dated Nil to appeal, reiterated the facts as placed to the CGRF-BYPL. In addition, the Discom submitted that there are ongoing disputes between the Appellant and Respondent No. -2 (Shri Ranjiv Khanna), in which the Discom has been involved with ulterior motives to settle their issues. The Discom further submits that in accordance with the CGRF-BYPL's order dated 07.05.2025, they have already issued a letter dated 10.06.2025 to Shri Ranjiv Khanna (R No. -2), requesting the identification of the required space to relocate six electricity meters, to ensure compliance with the safety regulations and guidelines. Furthermore, during the Shahjahanabad Redevelopment Corporation (SRDC) project, the relocation of these meters was deliberately obstructed by both shop owners/registered owners, who withheld these meters and prevented the shifting. Moreover, by establishing multiple inter se disputes, the Appellant is trying to enlarge the scope before the Ombudsman. The Discom has submitted all the relevant documents/photographs along with their written reply.

9. The appeal was admitted and fixed for hearing on 23.07.2025. During the hearing, all the three parties were present along with their representatives/advocates. An opportunity was given to all the parties to plead their respective cases before the Ombudsman at length and relevant questions were asked by the Ombudsman, Advisor and Secretary, to elicit more information on the issue.

10. During the course of hearing, the Advocate appearing for the Appellant reiterated the contentions and prayer as in the appeal. Main objections were raised on the claim of Respondent No.2 (Shri Ranjiv Khanna) regarding exclusive ownership of staircase and previous fire incidents happened attributed to his meter. In response to a query whether the Appellant has roof rights or not, she asserted that the Appellant does not have the roof rights but to avail the easementary rights, a civil suit has already been filed by the Appellant against the Respondent No.2 as the stair-case is a common passage instead of exclusive/private use. Even, the fire incident happened in 2023, appeared to be due to loose terminal, could be an attempt of tampering with the meter. However, attention was invited by the Advisor (Engineering) to the lab report which concluded 'meter burnt' instead of any tampering. She prayed to reverse the order to the extent that the meters should not be shifted outside but could be put into metallic boxes at its existing location (common passage of stair-case) for preventing the fire incidents, if happens in future. No convincing response was given by the Appellant in response to a query by the Ombudsman as to why should a meter be placed inside at the wall of stair-case when all the six meters are directed to be shifted outside (vide CGRF's order), in the light of safety rules & regulations emphasized in the Delhi Fires Service Rules of 2010/DERC Supply Code, 2017.



11. During the hearing, the Ombudsman took cognizance of the presence of Shri Mohd. Iqbal, who suo-moto attended the hearing in the capacity of one of Registered Consumer of five connections, but not a user of the connection. Respondent No.2 raised an objection that he was neither impleaded before the CGRF nor made a necessary party by this office. He asserted that a civil suit filed by Shri Mohd. Iqbal in 2016 against Respondent No.2 was already sub-judice. It was categorically mentioned by the Ombudsman that all the civil cases filed against each other would not be discussed here, being sub-judice before the Court of Law. Moreover, details of all the six meters were explained by the Advisor (Engineering). Respondent No.2 claimed that except one meter, five meters belong to his family.
12. In rebuttal, the Advocate appearing for the Respondent No.1 (BYPL) reiterated its contentions as in the written submission. He emphasized that there are inter se dispute between the Appellant and the Respondent No.2. Reference was made by the Respondent upon the Shahjahanabad Redevelopment Corporation (SRDC) Project under which the service cable had been laid underground and the meters were then installed on the wooden planks outside the shops. However, few shopkeepers of the area including both parties refused to allow them. As a result, the meter could not be shifted outside. As regards to shifting of all the six meters, attention was invited by the Respondent to the Regulation 22 of DERC Supply Code, 2017 under which the applicant is required to provide, the suitable space at a mutually agreed convenient location, for installation of electricity meters.
13. In rebuttal, the Advocate appearing for the Respondent No.2 (Shri Ranjiv Khanna) reiterated the contentions and prayer as submitted before the CGRF, being the Complainant. He denied all the allegations leveled by the Appellant. He asserted that efforts for shifting of meters since 2020 had gone in vain. Being owner of Property No.1899, the Appellant has the right to get the meter removed/relocation from the only passage (stair-case) inside to outside under the circumstances of previous fire incidents happened viz-a-viz. danger of life and limb of the occupants in the light of BSES guidelines and the DFS rules which pertain to the placing of meters at a safe place outside the premises. He requested to order the re-location of the six meters to the outer walls of the building or a suitable place at the earliest, as narrated above, in accordance with safety measures.
14. All the parties were heard in detail. The Ombudsman explained to the Appellant that mere installation of an electricity meter does not confer any proprietary right over the property. Attention was invited by the Advisor (Engineering) to the parties that in the instant matter, prevailing 8.5.2 clause of DDA's Unified Building Bye-Law-2016 (with DDA's amended gazetted notification on 24.02.2021) is applicable. As regards non-cooperation by the parties during laying underground cable in the area, the Discoms are empowered under Section 163 of the Electricity Act, 2003, for the needful action. Reference was also made to Regulation 29 (3) of DERC Supply Code, 2017.



15. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

- (a) Regulation 29(3) of DERC's Supply Code, 2017, which states that "the consumer shall provide suitable and adequate space for installation of the meter, either at entry point or outside the premises, in such a manner that it is always accessible to the Licensee or his representatives without the need of meter reader to get the premises unlocked or opened for this purpose.
- (b) In the last five years around five major fire cases had occurred causing loss of life and property.
- (c) News Reports and Fire Department's statements indicates that the electrical short circuit is a major contributor (approx. 60%) in fire cases in Delhi.
- (d) The letter dated 13.09.2019 of Director, Govt. of NCTD and Delhi Fire Services letters dated 27.10.2021 & 16.06.2023, were sent to all the Discoms clearly mentioned that due to frequent fire incidents in Delhi, electric meters/boards/panel/associated equipments should be away from the escape route of public in the interest of safety of public.
- (e) The show-room of the Respondent No-2 is of apparel business, which is inflammable material, and condition of the meters/bus-bar installed in exit of staircase is more vulnerable.
- (f) The connections cannot be released under the staircase in violation of the Delhi Development Authority's Notification dated 24.02.2021 on modification in the Unified Building Bye-Laws (UBBL) for Delhi, 2016.
- (g) Chapter 2 of Regulation 5 of DERC's Supply Code, 2017 and the Directorate of Delhi Fire Service's letter dated 13.10.2021, which prohibiting electrical installations under or near staircase. The installation seems very old. Therefore, safety aspect cannot be ruled out.
- (h) The issues raised by the Appellant during the pleadings are not relevant to the point in issue, i.e. safety of life and property. Even various cases pending in various courts also don't have any bearing on shifting of the meters outside from the staircase.




16. In the light of the above, this court directs as under:

- (i) Order passed by the CGRF-BYPL is up-held.
- (ii) Discom is directed to shift all the six meters at outside safe location within 30 days on receipt of this order.
- (iii) The consumers will facilitate provision of an appropriate space.
- (iv) Action taken report be submitted within 45 days on receipt of the order.

17. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.


(P.K. Bhardwaj)
Electricity Ombudsman
24.07.2025