

OFFICE OF ELECTRICITY OMBUDSMAN

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

B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057

(Phone: 011-41009285 E.Mail elect_ombudsman@yahoo.com)

Appeal No. 27/2025

(Against the CGRF-BRPL's order dated 30.04.2025 in CG No. 08/2025)

IN THE MATTER OF

Smt. Kanwal Jit Kaur

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Smt. Kanwal Jit Kaur along with her husband Shri G.S.Kholi

Respondent: Shri Sumeed Arora, General Manger, Shri Sudarshan B,
DGM and ShriShreyak Gupta, Advocate, on behalf of BRPL

Date of Hearing: 13.08.2025

Date of Order: 14.08.2025

ORDER

1. Appeal No. 27/2025 dated 02.06.2025 via online portal has been filed by Smt. Kanwal Jit Kaur, R/o 113-A, GH-10, Sundar Apartments, Paschim Vihar, Delhi - 110087, against the Consumer Grievance Redressal Forum – BSES Rajdhani Power Limited (CGRF-BRPL)'s order dated 30.04.2025 passed in Complaint No. 8/2025.

2. The background of the case is that the Appellant filed a complaint with the ICGRC-BRPL, requesting for shifting of electric meter boards/panels and energy supply points from their inside verandah wall to the outside verandah wall citing the various orders, i.e No. F6/DFS/MS/Misc./2019/7690 dated 20.12.2019 of Delhi Fire Department with DERC's Notification No. F.17(85)/Engg./DERC/15-16/5109 dated 01.08.2017 (Regulation 25 – procedure for shifting of meter within the premises of the consumer) and Gazette of India, Extraordinary Part-II, Section 3-Sub-Section (ii) published on 24.01.2021 (specific reference to Para 8.5.2 of Unified Building Bye-Laws for Delhi, 2016 for energy supply point).



3. In response, ICGRC-BRPL vide its letter dated 22.01.2025 informed the Appellant that the Discom conducted a joint inspection on 04.11.2024, and found that unauthorized construction has been carried out on the land allotted by the Delhi Development Authority (DDA), which constitutes a breach of applicable regulations, as such, in violation of the legal norms governing land use and building construction. Therefore, the Discom has not supported the installation of an electricity meter outside the premises. Moreover, the fact is that the meters currently installed at the location designated by the DDA within the premises, and it is in compliance with their prescribed guidelines. If, the Appellant wishes to have the meter relocated outside, it can only be facilitated upon submitting the necessary approval from the DDA. Subsequently, ICGRC forwarded the case to the CGRF-BRPL.

4. Against this, the Appellant vide an e-mail dated 19.04.2025 submitted the following points before the CGRF-BRPL in support of her claims along with all the relevant documents which were taken on record by the Forum:

- i) Authorization Letter- to authorize her husband Shri Gursharan Singh Kohli & Shri Sanjeev Anand, as authorized representatives.
- ii) RWA Recommendations – A letter from Resident Welfare Association of Sunder Apartment confirming that they have no objections to the shifting of the meters.
- iii) 'NOC' from other flat owners – A 'No Objection Certificate' from the owners of Flat Nos. 113 – A, B,C,D and 116 – A, B,C,D.
- iv) Layout Plan of GH-10 – The plan shows the location of all blocks and unit plans.
- v) Inventory of electric fittings - Showing the details of electrical fittings present in the house, in question.
- vi) DDA Policy and Procedure – Referred Point No. 2, 3, 4 & 19 of the DDA's Policy and Procedure for permission/regularization of addition/allocation in DDA flats.
- vii) Delhi Fire Service Notification No.-F6/DFS/MS/Misc./2019/7690 dated 20.12.2019 addressed to the BSES regarding shifting of electric meters/panels etc.
- viii) Acknowledgement of meter shifting request along with a statement of the JE, who inspected the premises in question.
- ix) A Gazette of India issued on 24.01.2021 for modification of UBBL of DDA specifically Point No. 8.5.2 – states that meters which can trigger fire hazard should not be installed under staircase.



x) The complainant further referred to Point 3 and 6 of the Consumer Awareness Guidelines issued by the Discom.

xi) The complainant also submitted that a lift was installed in their building compound, for which the electricity meter is installed outside the space/area provided by the DDA and requested that the meters installed at her entry/exit be relocated to that space.

5. The CGRF-BRPL, observed that the passage in front of the electric panel box, leading to rear entry/exit to Unit No. 113 A, GH-10, has been renovated intentionally to cordon off/encroach the area. The complainant wants to shift the meters without permission from the DDA/MCD. The authorized representatives (ARs) of the complainant failed to substantiate that the passage area is covered in the total area of her unit (Unit No 113 A of GH 10). With regard to the complainant's claim that according to the DDA's Policy & Procedure for Permission and Regularization of Additions/Alterations in DDA Flats, under sub-head "Condonable Items", she can alter her unit, whereas after watching the video clip submitted by the Discom, the ARs agreed that the passage/area in front of the electric panel box is not the rear courtyard/verandah/part of Unit No. 113A, GH-10, but is the common passage of DDA.

Regarding proposal of the complainant to relocate the meters installed in the electric panel box of GH10 to a newly constructed wall, with creating an opening in the rear wall, both the parties are unaware of the factual position of the load-bearing structural wall, therefore, for taking any modification in the civil work, proper consent of MCD/DDA would mandatorily be required. Furthermore, relocating the electric meters will have cascading effect other unit holders of the remaining 57 blocks of Sunder Apartment, who would then approach the Discom for relocation of the meters of their respective blocks.

In view of above, the Forum up-held the ICGRC's verdict dated 22.01.2025 and has not granted any relief to the Appellant.

6. The Appellant, dissatisfied by the order dated 30.04.2025, passed by CGRF-BRPL has filed this appeal on the following grounds:

- (i) Misinterpretation of the Appellant's video while relying on Discom's video and claim of encroachment of designated DDA space for the meters and other equipment by her.
- (ii) Incorrect conclusion regarding passage ownership despite the submission of the layout plan for GH-10, which verified the passage's functional use as the rear verandah of Unit -113.
- (iii) Flawed evaluation of structural changes under DDA's Policy and Procedures.



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- (iv) Insufficient consideration of the meter relocation proposal, however, she indicated her readiness to seek permissions from DDA/MCD, if necessary, but no guidelines or technical clarity was offered by the Discom and Forum.
- (v) Overlook of mandatory safety regulations.
- (vi) Misplaced emphasis on lift installation, and
- (vii) Failure to apply judicial precedent as reference in the orders dated 04.10.2024 and 20.03.2025 in the case of Shri Surjit Singh & Others vs. BYPL (Appeal No. 20/2024) and Ms. Jyoti Gupta Vs. BRPL (Appeal No. 54/2025), respectively, to support her arguments.

The Appellant has further requested as under:

- (a) To set-aside the CGRF-BRPL's order.
- (b) To Direct the Discom to relocate the electric meters and associated equipment, as requested, to a safer external wall.
- (c) To order an interim technical assessment by the Discom to mitigate the fire hazard pending appeal disposal, ensuring immediate safety measures for the residents of Unit 113-A.
- (d) Grant any other relief deemed fit in the interest of justice and public safety.

7. The Discom, in its written submission received on 30.05.2025 to the appeal, reiterated the facts placed before the CGRF-BRPL. In addition, the Discom submitted that the concerned meters are installed at the location designated by the DDA, and there is no fire safety risk at the location. It is evident that on the one hand the Appellant alleging fire safety concerns, on the other hand she has constructed illegally around the designated area of the electricity meters, thus ensuring that all meters installed outside her premises/property, are now unlawfully within her own premises/unit. Further, it is well-established law that it is the Licensee's prerogative to assess, any fire safety hazard and the Discom has found no such hazards. Consequently, the entire claim regarding entry/exit of other residents and supposed endangerment during a fire becomes baseless. The Forum provided the Appellant with an opportunity to prove that the area where the meters installed was in fact the veranda of her premises and included in the unit area as provided/designated by the DDA but she failed to provide any substantial documentation. Instead, she accepted before the Forum that the area where meters are installed are not her private veranda, rather it is a common passage. Regarding an alleged video dated 11.10.2024, the Discom submitted that this video was shown during the last hearing held in the Forum to support the Appellant's misplaced assertions, and they do not have access to



this video. None of the persons appearing in the video have been identified by the Discom nor have any verbal comments purportedly recorded in it been acknowledged. With regard to the fire incident reported by the Appellant (Complaint No. 24082604076 dated 26.08.2024), it was an accidental, caused by spark and fire in the bus-bar due to overloading and, therefore, there is no basis to determine any perpetual safety hazard. The Appellant has also expressed her willingness to obtain the necessary permission from the DDA/MCD. It is not the Discom's responsibility to guide on such technical matters and the Appellant is free to approach the concerned departments for the relevant permission/approval. The Appellant has also referred to the letter from the Delhi Fire Service. This letter merely issued an advisory to the Discoms allowing the final decision to be with Discoms at their discretion.

8. The Appellant, in response to the written submissions from the Discom, submitted a rejoinder asserting that though the meters are installed at the area designated by the DDA's, the safety rules/guidelines issued by Gazette Notification of India No. 886 dated 24.02.2024 and the Delhi Fire Service's letter dated 20.12.2019 must not be ignored for safety purposes. Further, the claim of the Discom that there is no fire hazard is incorrect, as it was admitted by the Discom's official on 11.10.2024. Moreover, she has not received any notice from the DDA/MCD regarding any wrongdoing on her part and the Discom cannot decide the land issue.

9. The appeal was admitted and fixed for hearing on 13.08.2025. During the hearing, the Appellant was present along with her spouse and the Respondent was present by its representative/advocate. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman, Advisor and Secretary to elicit more information on the issue.

10. During the hearing, the Appellant reiterated its submission as placed before the Forum as well as in this Court. The Appellant's main concern is that the Forum failed to consider her request for shifting of meters/bus-bar etc. keeping in view of the possibility of fire hazards. Instead, the Forum declined her request due to encroachment of the common passage. Despite the fact that a meter for lift operation in the same building had been installed outside its designated place, the area where she has requested for relocation of the meters along with associated equipment. The Appellant emphasized that in most of the DDA flats, meters have been re-located outside the escape passage after the directions of the Delhi Fire Service. She also cited a similar case of Smt. Jyoti Gupta Vs BRPL (Case No: WP(C) 12667/2023), where Discom had shifted 7 out of 8 meters outside the designated place by the DDA, upon her request. The Ombudsman apprised the Appellant that in the cited case, the meters had already been shifted before the consumer (Smt. Joyti Gupta) approached the High Court, and that encroachment was also there. The Appellant explained by sketching the entry of the premises/position of the meters that there are two entry on the ground floor unit, front and back entry, meter panel board/bus-bar was fixed



in front of the back side entry, which is exclusively used by them and also once in a month by the meter reader of the Discom. When asked by the Ombudsman, is this area is yours, the Appellant did not react. The appellant further raised the point that 24 lifts have been installed in her colony/locality. Out of these, only 2 meters for operating the lifts have been installed at its original designated places, and remaining 22 meters have been installed outside of its original designated places, after the DFS's notification dated 20.12.2019. However, the Discom could not give any satisfactory answer in response to her claims regarding relocation of these meters. The Appellant expressed her willingness to remove the gate, if the meters and associated equipment could be relocated, as requested.

11. In rebuttal, the Advocate appearing for the Respondent submitted that the Appellant has not produced any video or CCTV evidence to support her claim regarding a declaration of fire risk zones by a Discom's officials neither before the Forum nor in this court. Actually, the appellant has encroached upon a common passage designated for meters/panels/boards/bus-bar, which is under the jurisdiction of the concerned authority, and which is now part of her unit, i.e. A-113. The advocate clarified that the other occupants of the building, i.e. Unit Nos. B, C, & D -113 have a separate entries and there is no fire risk. Further, if the Appellant possesses any documents, such as a leasehold agreement, showing that the area in question is part of her unit, she may be able to request the relocation of the meters. Otherwise, relocation of the meters and associated equipment is only possible, if the Appellant submits 'NOC' from the Delhi Development Authority (DDA).

The Officer of the Discom also explained by marking in the photographs of the Appellant's premises, in question, that she covered the back portion of her premises by a transparent glass on the ceiling, fitting and fixtures and a big gate with lock and key where electricity meters and associated equipment were fixed. On being asked whether there is a risk of fire, to which the official reply that there is no risk of fire, as the Discom takes care of its safety.

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

- i. The DFS's letter from 20.12.2019 emphasizes the need to move electric meter boards and related equipment away from escape routes to ensure the safety of occupants. It states that in all new installations, these should be placed away from staircases and corridors to prevent smoke or flames from affecting evacuation.
- ii. The property involved is developed by the DDA, which, according to a Gazette Notification dated 24.02.2021, must provide permission for any shifting of meters. The DDA policy allows some alterations, but structural changes are not permitted and require prior permission. Regulation 25 of the Supply Code, 2017



shows the shifting process, stating that the DDA decides the meter location, not the consumer and Regulation 29(3) of DERC's Supply Code, 2017, emphasizes that a suitable space for meter installation must be provided by the consumer for easy access by the Licensee or their representatives.

- iii. The shifting of meters of the entire block will require additional wiring along with the MCB, which would result in multiple joints which would be prone to fire risks. The DDA has already allocated sufficient and safe space for the installation of electricity meters.
 - iv. After perusal of the photographs submitted by the Discom, it is revealed that the space designated for installation of the meters by the DDA has been encroached by the Appellant. There is a settled policy for DDA flats that on submission of approved layout plan from them, metering position are decided and approved by the DDA, and thereafter Discom carried out the installation of meters/cables, etc. Moreover, DDA has listed 22 condonable items, but no point covers the issue at hand.
 - v. It is clear that the premises, in question, is ground floor and each ground floor unit, have two exit/entries. Main entry is from front side but in rear side, also one entry is provided. All the meters and associated equipment are installed at the back side and nearby rear side entry/exit. Staircase for first to third floors are given from front side entry, there is no staircase in the backside. Thus, it is evident that unauthorized construction/encroachment has been carried out.
 - vi. The lift meters at 22 locations are supposedly placed outside and are not on the designated space provided by the DDA.
13. In the light of the above, this court directs as under:
- a) The order issued by the CGRF-BRPL is upheld as meters and associated accessories cannot be shifted from its designated/earmarked space.
 - b) Appellant has encroached the area where meter panel is installed and gate has been provided, thereby, causing hindrance to the common passage. The meters remain the property of the Discom, therefore, the appellant cannot possibly lock the common passage designated by the DDA, where eight meters are installed. In view of above, the Appellant is directed to either remove the gate permanently or give access to the Licensee's officials at all times (keep the door open).
 - c) Discom to monitor the activity at (b) above, and take suitable action under the relevant provisions.




d) The lift meters at 22 locations are supposedly placed outside and are not on the designated space provided by the DDA.

e) Discom will ensure proper safety from fire in electric panel board/meter/bus-bar and will carry out periodical safety audit.

14. 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
14.08.2025