

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. 28/2025

-(Against the CGRF-BRPL's order dated 23.05.2025 in CG No. 18/2025)

IN THE MATTER OF

Shri Harkesh

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Shri Harkesh, in person.

Respondent: Shri Sudarshan B, DGM, Shri Vishal Prabhakar, DGM,
Shri P. Baskar, DGM and Shri Amitabh Srivastava,
Senior Manager, on behalf of BRPL

Date of Hearing: 20.08.2025

Date of Order: 21.08.2025

ORDER

1. Appeal No. 28/2025 dated 02.06.2025 has been filed by Shri Harkesh, R/o Village & Post Office, Rajokari, Delhi – 110038, against the Consumer Grievance Redressal Forum – Rajdhani Power Limited (CGRF-BRPL)'s order dated 23.05.2025 in CG No. – 18/2025.

2. The background of the case is that the Appellant, Shri Harkesh has applied for new domestic connections of 2 KW vide Application No. 80007340365, at the Plot No. 431, Ground Floor (Right Side), Village Rajokari, Delhi - 110038. However, the application was rejected on the several grounds that (a) clearance of outstanding dues, (b) mismatch between the applied address and the existing meter billing address, (c) space for the electric-substation and (d) the requirement of system augmentation. Consequently, the Appellant approached the Internal Consumer Grievance Redressal Cell (ICGRC-BRPL). The Discom vide their letter No. Nil dated 13.02.2025 informed the Appellant that a site inspection had been carried out by their Technical Team and certain major deficiencies, viz; requirement of Distribution Transformer Space (DTS) and Space for Electric Sub-station, were identified. To



proceed with the release of the new connection, these need to be rectified. Due to non-compliance of the suggested rectifications, his application for the new connection was ultimately cancelled.

3. Aggrieved by the reply, the Appellant filed a complaint before the CGRF-BRPL (Forum) through an e-mail dated 04.03.2025 asserting that he is the owner of 380 sq yards of property bearing NO. 431, and out of this only 100 sq. yards is built-up area. Therefore, the demand of space for a Distribution Transformer at the premises in subject is unjustified and in violation of applicable regulations.

4. In rebuttal, the Discom contended that after receiving a request for a new connection, a site inspection was carried out and it has been found that the total area of the plot, where connection was applied for, measures 900 sq. meters (approx.). Therefore, as per Rule 6 under Regulation 22 of the DERC's Schedule of Charges and the Procedure (Seventh Amendment) Order dated 01.08.2023, *which states the developer/appointment taking supply at LT level for any new load, wherever (i) the total cumulative demand of all the floors in the plot exceeds 100 KW/108 KVA, (ii) the total cumulative built up area of the premises in the plot building exceeds 2000 sq. meters, or (iii) where the plot is of size above 600 sq. meters,* a valid space for sub-station is required. Moreover, Khatouni consolidation document placed on record does not mention the plot owner Shri Harkesh, and the entire plot of land owned by Smt. Asharfi w/o Late Shri Ganesh Lal, as per the Khatouni document. To substantiate its claim, all the relevant documents along with photographs of the premises in question were placed before the Forum, which were taken on record.

5. The CGRF-BRPL, in its order dated 23.05.2025, observed that in built-up Plot No. 431/432, area measuring 9 Bigha, 12 Biswa, the complainant's mother hold a share of 119/2775. Out of this, an area measuring 380 sq. yards, his mother has executed GPA in his favour (the complainant). Therefore, demand for DT space is against the Regulations. It is an undisputed fact that the complainant's name is not recorded as tenure holder in the Khatouni. Furthermore, the area for which the GPA has been executed in his favour is also not demarcated, and the entire area is recorded in the name of his mother Smt. Asharfi Devi, and the entire area of 900 yards is considered as one plot. The Forum, in accordance with the Rule 6 under Regulation 22 of the DERC's Schedule of Charges and the Procedure (Seventh Amendment) Order dated 01.08.2023, did not accede to the Appellant's request.

6. Aggrieved by the above-mentioned order, the Appellant filed this appeal on 02.06.2025, reiterating the submissions placed before the Forum. In addition, the Appellant submitted that he possesses 380 sq. yards plot as per GPA and is located in village Rajakori under 'hadbast' No. 222, Tehsil Vasant Vihar, Delhi, and has been duly demarcated, i.e. East: property of Shri Raja Ram, West: Raasta, North, Raasta South: Raasta/remaining portion of the property, and out of this, the built-up area is only 70 sq. yards. The separation of properties is easily visible in "hadbast" No. 222, at Tehsil Vasant Vihar.



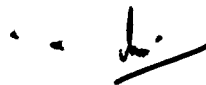
Therefore, his request for a release of 2 KW electricity connection is not barred by any regulations of the DERC, and he has requested to direct the Discom to release the connection applied for vide Request No. 8007340365 dated 05.12.2024.

7. The Discom, in its written submission dated 16.07.2025 to the appeal, reiterated the facts as placed before the CGRF-BRPL. In addition, the Discom submitted that at the first stage there is a discrepancy between the address Plot No. 431/432, Village Rajokari, New Delhi – 110038, mentioned in the 'Proforma of Appeal' submitted to the Ombudsman and the application for a new electricity connection submitted by the Appellant. Further, the claim of the Appellant that the separation of the property is easily available in Hadbast No. 222, Rajakori Village, Vasant Vihar, on-site, is not correct, as he has failed to provide any documentation to substantiate it. He has only submitted a copy of GPA, to establish the demarcation of the portion executed by her mother in his favour. Furthermore, his claims that he will be the legal heir after the demise of his mother. The Discom submitted that no connection can be provided to probable successors of an individual owning a property. Therefore, in the absence of any physical division of the property coupled with land records submitted by the Appellant, it is evident that the premises in question is owned by someone else and a part of a much bigger plot, not the area mentioned by him. The plot size is also detailed in the Discom's Inspection Report dated 11.12.2024. The Discom also submitted that the issue of augmentation has since been resolved.

8. Joint site visit report through video mode was sought by this court and in video it is clear that new wall has been constructed between 380 sq. yards area and remaining area.

9. The appeal was admitted and fixed for hearing on 20.08.2025. During the hearing, the Appellant was present in person and the Respondent was represented by its representatives. An opportunity was given to both 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 hearing, the Appellant reiterated his contention and prayer as stated in the appeal. The Appellant referred to the prevailing DERC's Seventh Amendment Order dated 01.08.2023, which is not applicable in the instant matter. He argued that out of a total area of 900 sq. yards, 380 sq. yards had been transferred to him by his mother through a General Power of Attorney, as he is the one who looks after her among the five siblings. In response to a query from the Ombudsman regarding whether the adjacent area is used for residential purposes and whether it consists of large or small plots, he submitted that the area was originally agricultural land. Subsequently, it has been converted for residential use and includes various types of plots, ranging from small plots to larger plots sold to outsiders. Furthermore, the connection he applied for is required for residential purposes, however, it was denied by the Respondent due to the failure to provide space for a Distribution Transformer (DT). In this regard, he presented a copy of the Khatouni Consolidation to the



Ombudsman, highlighting several large landowners listed, who will need electricity connections in the future. He argued that to resolve the issue, it might be feasible to request DT space from them in exchange for the release of electricity connection(s). Additionally, the Gram Sabha land located in the back lane could be considered for DT space, as it is designated for community use. As the owner of only 380 sq. yards, he is currently unable to provide the necessary space for the DT under the present circumstances. Furthermore, when the Ombudsman asked why the wall of the premises was not constructed during the pendency of the matter before the ICGRC and CGRF, it was constructed afterwards, prior to filing an appeal in this office, the Appellant did not give a satisfactory response. Appellant also informed that there are good number of transformers (westend green) installed in the area as there are farm houses around the location.

11. In rebuttal, the officer representing the Respondent reiterated the written submission and emphasized that several requests for connections have been received from the neighboring area, including one from the owner of a big adjacent plot. However, these requests could not be accommodated due to the distance from the existing transformers, which have already been upgraded, and the request from the applicant of the big plot was denied on the similar grounds of insufficient space for the distribution transformer. Four transformers have already been installed in the distant area. In response to a specific query from the Advisor (Engineering) regarding the peak loading of the transformer, the officer present submitted that last summer, in 2024, the peak load of the 630 KV transformer reached 110% of its capacity, and the data for 2025 is still being monitored. Consequently, it was apprised that within the next 2-3 years, the load on the transformers would become saturated as demand would increase. Furthermore, to resolve the issue, the Respondent was asked whether the installation of a double pole (DP) transformer on the premises is technically viable/feasible, the answer was in affirmative.

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

- (i) The relevant Rule 6 (Amended) under Regulation 22 of DERC's Supply Code, 2017, is not applicable in the instant case, as the Appellant owns 380 sq. yards through a GPA and his built-up area is only 70 sq. yards.
- (ii) On the perusal of the additional submissions dated 30.07.2025, the Discom provided the latest video of the site, in question, revealing that both the plots are separated. The existing connection bearing CA No. 102369564 was energized on 12.02.2009 in the name of Shri Ganeshi Lal, already at Khasra No. 431, Ground Floor, Jangra Gali, Rajokari, New Delhi – 110018, which is existing in the other portion. Whereas the plot of Shri Harkesh, having the area of 380 sq.



yards is physically separated and there is no electricity connection. Consequently, the connection is liable to be released.


- (iii) According to the video shared by the Respondent on 30.07.2025, the plot area of 380 sq. yards has been carved out of the total plot area of 900 sq. yards, and the existing connection is installed in the other portion of the plot.
- (iv) It is informed that "Gram Sabha" land is also available in the vicinity and this land is used only for community purposes.

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

- (i) Discom is directed to release the connection upon completion of commercial formalities as the plots is only 380 sq. yards in dimension, and, therefore, Rule 6 (Amended) under Regulation 22 of DERC's Supply Code, 2017, is not applicable. Discom has already augmented the present transformer which would be sufficient.
- (ii) In case of the further requirement for augmenting the supply, the land available with "Gram Sabha" could be utilized.

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 of accordingly.


(P.K. Bhardwaj)
Electricity Ombudsman
21.08.2025