

**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**

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**Appeal No. 30/2025**

(Against the CGRF-BYPL's order dated 28.04.2025 in Complaint No. 56/2025)

**IN THE MATTER OF**

**Smt. Fool Jahan**

**Vs.**

**BSES Yamuna Power Limited**

**Present:**

Appellant: Shri Nishi Kant Ray, Counsel of the Appellant

Respondent: Ms. Shweta Bist, DGM and Shri Akash Swami, Advocate,  
on behalf of BYPL

Date of Hearing: 26.08.2025

Date of Order: 27.08.2025

**ORDER**

1. Appeal No. 30/2025 dated 10.06.2025 has been filed Smt. Fool Jahan, W/o Shri Mohd. Irshad Ansari, R/o B-273 (Old No. 302), Ground Floor, Khasra No. 847, Mandawali, Fazalpur, through her counsel Shri Nishi Kant Ray, against the Consumer Grievance Redressal Forum – Yamuna Power Limited (CGRF-BYPL)'s order dated 28.04.2025 in Complaint No. 56/2025, on the grievance raised about non-release of applied for new connection.

2. The background of the case is that the Appellant applied for a domestic electricity connection at the above cited premises vide Application No. 8007379907 on 26.12.2024. The same was rejected by the Discom on the grounds that a connection already exists at the applied premises vide Meter No. 35707935 in the parking. Further, there is no stilt parking at the site and building consists of G+5 floors. The deficiency letter was issued to the Appellant on 08.01.2025. Consequently, the Appellant filed a complaint before the Forum and contended that the subject building is old and consisting of ground to fifth floor, and she had purchased the said built-up property through General Power of Attorney on



03.02.2020. The total area of the plot is 90 sq. yards, out of which she is in possession of an area 54.34 sq. yards only, remaining area of the plot, i.e. 35.66 sq. yards is parking. There is one electricity connection installed at the ground floor which is being exclusively used for the parking area and not in her flat. The Appellant made a request before the Forum to direct the Discom to release the new connection applied for and asked for compensation as per the guidelines of the DERC.

3. The Discom stand before the Forum was that the Appellant applied for an electricity connection as mentioned in paragraph '1' supra. Upon inspection of the premises, in question, it was found that there was already one connection vide meter no. 35707935 in the nature of parking, but no stilt parking exists at site. Further, the building, where connection was applied consists of Ground + Five Floors, which was reported in the Site Inspection Report (New Connection), and to substantiate its claim, cited the matter of Rajendra Kumar Barjatya Vs. U.P. Avas Evam Vikar Parishad, 2024 INSC 990 dated 17.12.2024. Furthermore, the structure, at the time of release of previous connections was Ground + 4 Floors, but now the structure has been deviated and converted into Ground + 5 Floors. The structure of the parking has also been converted into a flat and connection sought for the same. Accordingly, it is not technically feasible to grant new connection, as the connection already exists at the applied premises. Therefore, in view of alteration of structure, without any permission or sanctioned plan qua, the same is bad in law. The details of the existing electricity connections are as under:

S. N.	Meter No.	Floor(s)	Date of Energization
1	35707935	Ground Floor (Parking DOM3)	28.09.2021
2	35707869	SF – Right Side	28.09.2021
3	35707867	FF- Right Side	28.09.2021
4	35707868	SF – Left Side	28.09.2021
5	35705159	UGF – Left Side	28.09.2021
6	35707244	FF – Left Side	28.09.2021
7	35707243	UGF–Right Side	28.09.2021
8	35751754	3F – Left Side	26.10.2021
9	35751765	3F – Right Side	26.10.2021

In view of the above, the Discom submitted that there is no feasibility for the release of any new connection.

4. The CGRF-BYPL, in its order dated 28.04.2025, determined that the Discom rejected the complainant's application for a new electricity connection on the ground that the parking area had been converted into a residential unit. Therefore, in accordance with the Rules 3, 4(1)(i) & (ii) and 4(2) of the DERC's Schedule of Charges and the Procedure (Sixth Amendment) dated 15.04.2021, the Forum has not acceded to the complainant's request.



5. The Appellant, aggrieved by the aforementioned order, has filed this appeal, reiterating the facts as placed before the CGRF-BYPL. In addition, the Appellant submitted that she had purchased the said flat/property on 03.02.2020 through GPA and the subject building is old and consists of ground floor to fifth floor. The total area of the plot is 90 sq. yards, of which she is in possession of 54.34 sq. yard, while the remaining area of 35.66 sq. yards is designated for parking. The Appellant also submitted that there is one electricity connection at the ground floor, solely for the parking area, and it is not used in her Flat. The first to fourth floors have already required connections, but there is no electricity connection at her flat and fifth floor. As the height of the building is below 15 meters and making her entitled for a connection in accordance with the DERC's Schedule of Charges and the Procedure (Sixth Amendment) dated 15.04.2021. The Appellant has requested that the CGRF-BYPL's order dated 28.04.2025 be set-aside/modified and to direct the Discom to release the new electricity connection in the interest of justice.

6. The Discom, in its written submission dated 16.07.2025 to appeal, reiterated the facts as placed before the CGRF-BYPL and submitted that the contents of the reply placed before the Forum, be considered as part and parcel of the response to the present appeal. In addition, the Discom asserts that according to the applicable regulations, i.e. Sixth Amendment, the instant appeal is legally flawed since the applied premises which previously consisted of ground + four floors, now becomes ground + five floors, therefore no concession can be granted to the Appellant. Moreover, the Discom also provided a latest site visit report conducted on 02.07.2025, stating that (a) the structure of building is ground + five floors, b) Meter No. 35707935 exist at parking area, (c) dwelling unit exists on the ground floor and its supply is from Meter No. 35707935 (d) there are two meters on each floors, i.e. UGF, FF, SF & TF.

7. The appeal was admitted and fixed for hearing on 26.08.2025. During the hearing, the Appellant was represented by Advocate Shri Nishi Kant Ray and the Respondent was represented by their 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. .

8. During the hearing, the Advocate representing the Appellant reiterated the arguments and prayer as stated in the appeal. In response to a query by the Ombudsman regarding the delay in applying for the requisite electricity connection after purchasing the premises in question, he submitted that the flat had remained vacant since then and that she now intends to live there. However, when the Advisor (Engineering) asked whether the Appellant had any evidence or photographs to show the prior status of the ground floor or parking, as the General Power of Attorney does not clearly specify these details, the Advocate did not provide a satisfactory response.



9. In rebuttal, the Advocate representing the Respondent reiterated its written submission. To clarify the building's status during 2021, or any subsequent alterations, the Advisor (Engineering) asked the Respondent, to provide the site inspection reports of the existing connections, before the hearing, particularly for the third floor where two connections were installed on the Left Side and Right Side in the name of Shri Mohd. Ayub. The officer present submitted two site inspection reports for the third floor, Left Side and Right Side, to the Ombudsman. These reports were taken on record. A review of the Building Map in the site reports revealed that the ground floor was divided into two sections: Parking and Ground Floor, with the building height measuring 15 meters. This indicates that the existing status of ground floor has not changed from the earlier structure. The officer present stated that the parking area (35.66 sq. yards) was not considered as stilt parking in response to a query by the Ombudsman, whether the parking is categorized as 'stilt parking' or otherwise, as the term 'stilt' was not mentioned either in the electricity bill or the site inspection report. The Respondent asserted that the parking connection in the name of Mr. Mohd. Ayub, categorized under Tariff Category of Domestic 3 (Staircase Separate Meter), has been installed exclusively for parking use at the ground floor, as also reflected in the billing address of the relevant bill.

Furthermore, the two connections on the third floor were approved based on the building height being within 15 meters. However, it has been noted that structural alterations have been made, leading to a building structure of G+5 floors, which exceeds the permissible limit of 15 meters. In view of these circumstances, the applied connection cannot be released in accordance with Clause 2, (4) (1) (ii) of the DERC Sixth Amendment Order dated 15.04.2021. To obtain the requisite connection, the parking connection should be surrendered. Only one connection can be released at ground floor in this case. Moreover, the Respondent indicated that presently, electricity is being unlawfully supplied to the Appellant's flat through the parking connection, as evidence by the higher MDI in comparison to the sanctioned MDI reflected in the electricity bill.

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

- (a) An electricity connection bearing CA No. 35707935 already exists at the premises in question to cater the load of electricity for both parking and staircase. After release of nine connections and the structure of the building has been altered from G + 4 to G + 5 floors.'
- (b) Appellant got GPA of 54.34 sq. yards on 03.02;2020, clearly showing ground floor having 3 room set (Right Hand Side) with Kitchen, toilet and bathroom.
- (c) It is evident from the documents/photos/Report of TFE on the record that both parking space and dwelling unit exist on the ground floor.




- (d) As per Rule 1.4.111 and 7.15.1 of UBBL, Delhi, 2016, the concept of stilt parking and dwelling unit at ground floor cannot coexist, but in this case stilt parking is not there, as admitted by the Respondent during the hearing.
- (e) The Appellant's property (dwelling unit) is covered under the DERC's Schedule of Charges and the Procedure (Sixth Amendment) dated 15.04.2021, hence, entitled for connection.
- (f) A 'site inspection report' dated 27.07.2021, in the case of Shri Mohd. Ayub, whose two connections were energized in left and right portions on the third floor of the same property/building, clearly shows that in major portion dwelling unit (54.34 sq.yds.) is existing, while the remaining portion (35.66 sq. yds.) is common area/parking and the height shown is less than 15 meters.
- (g) A connection bearing CA No. 153497463 is already sanctioned for staircase in the name Shri Mohd. Ayub under domestic category.

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

- (i) The order of the CGRF'-BYPL is set-aside.
- (ii) Discom is directed to release the connection after completion of commercial formalities.
- (iii) Action taken report be shared with this office within 30 days.

12. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. 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  
27.08.2025