

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: 35/2025

(Against the CGRF-TPDDL's order dated 26.06.2025 in Complaint No. 40/2025)

IN THE MATTER OF

Shri Deepak Kumar

vs.

Tata Power Delhi Distribution Limited (TPDDL)

Present:

Appellant: Shri Deepak Kumar and Shri Arun Kumar, Advocate.

Respondent: Shri Ajay Joshi, AGM (Legal), Shri Jamal Nasir, Shri Sanjay Kumar Gupta, Shri Utkarsh Bindal, Sr. Managers, and Shri Anurag Kumar, Asst. Manager on behalf of the TPDDL

Date of Hearing: 17.09.2025

Date of Order: 18.09.2025

ORDER

1. Appeal No. 35/2025 dated 17.07.2025 filed by Shri Deepak Kumar, R/o House No. H-57, Back Left Portion, Ground Floor, 2 Block – H, Andha Mugal, Pratap Nagar, Delhi -110007, through Advocate Shri Arun Kumar, against the Consumer Grievance Redressal Forum – Tata Power Delhi Distribution Limited (CGRF-TPDDL)'s order dated 26.06.2025 passed in C.G. No. 40/2025.

2. The background of the case is that the Appellant, Shri Deepak Kumar, filed a complaint before the Forum regarding the denial of a new electricity connection at the above mentioned address by the Discom, on the ground that a separate dwelling unit



was not found and one meter bearing CA No. 60016260196 in the name of Ms. Reena is already existing at the premises, in question. The Appellant contended that the premises, in question, has two separate units, each unit has its own entrance and kitchen. There is no direct passage for traversal between these two units. Further, the Appellant submitted that there is one existing connection in the other portion of the ground floor, and he has now applied a new connection for his unit. To substantiate his claim, the Appellant provided all the relevant documents, i.e. photographs and an unregistered relinquishment deed dated 18.10.2018, duly signed, by both parties and Notary Public, which was taken on record by the Forum.

3. In rebuttal, the Discom submitted that when applying for a new connection, the Appellant has submitted following two documents:

- (i) A copy of Aadhaar Card No. 620238716215 issued in his name.
- (ii) A copy of the Relinquishment Deed dated 18.10.2018, with respect to property measuring 40 sq. yards bearing No. H-57, Gali No. -2 (H Block Side Portion with Roof Right), Pratap Nagar, Delhi – 110007, in favour of the Appellant, S/o Late Shri Ashok Kumar. Furthermore, during a site verification conducted on 15.03.2025, it was found that there is already an electricity connection (CA No. 60016260196) in the name of Smt. Reena, at the premises, where the connection was applied for. The premises, in question, is a DDA Flat, and is considered as one unit that cannot be legally further sub-divided. To support their claim, the Discom submitted a hand sketch of the premises in question, which was taken on record by the Forum.

In view of the above circumstances, the connection was not granted. The Discom also submitted details of the connections installed in the neighbourhood/vicinity of the Appellant. Details are given below:

S.N	Name of the R/Consumer	CA No.	Address	Date of Energization
1.	Mrs. Reena	60016260196	H. No. 57, Ground Floor, Block-H, Andha Mughal, Pratap Nagar, Delhi – 110007	03.12.2014
2.	Smt. Shanti Devi	60008826947	H. No. 61, Back Portion, Ground Floor, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	06.12.2008



3	Shri Madan Lal	60005082619	H. No. 64, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	10.07.2007
4	Shri Nek Ram	60011740747	H. No. 62, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	01.06.1999
5	Shri Jaswant Singh	60003337031	H. No. 54, Second Floor, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	04.03.2006
6	Smt. Shanti Devi	60005385061	H. No. 61, Ground Floor, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	18.07.2007
7	Shri Vikram	60025185160	H. No. 59, Block - H, Andha Mughal, Pratap Nagar, Delhi – 110007	20.04.2010

On 24.04.2025, a 'joint site inspection' was carried out by the Discom, on the direction of the Forum. A report was sent via e-mail on 06.05.2025. The report showed that the premises in question is a DDA/Govt. allotted flat that has been divided/partitioned into two portions. One meter bearing CA No. 60016260196, is already installed for the flat. According to the Appellant, this meter serves the front portion. It was also observed that LT Bare and LT ABC lines are passing above the premises.

4. The Appellant filed a rejoinder on 26.05.2025 before the Forum, asserting that the Discom's official did not conduct a proper inspection at the premises for a new connection. The existing connection (CA No. 60016260196) is installed at the front side of the House No. 57, whereas the Appellant is requesting a new connection for the back side, which he occupies. The Appellant claims that the alleged sketch by the Discom is not correct as there is separate back side portion of his House No. 57 and due to growth in the family size, the property has been mutually divided among family members. Further, the Discom has installed several connections in same status at the premises on neighbourhood properties and has requested the release of the new connection that was applied for.

5. The CGRF-TPDDL in its order dated 26.06.2025 considered that the application for a new electricity connection is for a DDA Flat, and one connection already exists at the applied premises/DDA Flat. The DDA flat was allotted as a single unit and cannot be sub-divided to create separate dwelling units for additional electricity connections. The creation of separate dwelling units/entrance etc. is only



an arrangement among the brother and the present complainant, and, therefore, it cannot be considered as a legally sub-divided property. Consequently, the Forum denied the Appellant's request for a new electricity connection.

6. Being aggrieved by the above said order, the Appellant has filed this appeal, reiterating the submissions placed before the Forum. The Appellant asserts that the DDA flat has ample space that can be easily partitioned/divided. Over the passage of time, the family has grown and has mutually divided the space among its members, i.e. into a front portion and a back portion each with its own separate entrances. The Forum has made an incorrect consideration regarding the premises in question that it pertains to DDA. In fact, the premises/property was allotted by the Rehabilitation Department of Government of India. The Discom granted electricity connections to unauthorized occupants of the premises/Jhuggi dwellers, despite the fact that the Appellant has applied for a legal connection. The Appellant alleged that a discrimination policy being adopted by the Discom in his case, as he has provided evidence of multiple connections issued to others in the area and who are similarly placed. The Appellant also pointed out the absence of a report from the Discom's Inspecting Team about existence of two separate portion and entrance of the premises. Furthermore, he alleges that the Discom has not provided any photographs or documentary evidence, to support their claim that LT ABC cable and bare conductor is passing over his property.

The Appellant seeks the following relief:

- (a) To set-aside the CGRF-TPDDL's order dated 26.06.2025, and direct the Discom to release the connection applied for.
- (b) Cost of proceedings.

7. The Discom, in its written submission dated 13.08.2025, reiterated the facts placed before the Forum. In addition, the Discom referred Regulation 10(4)(1) of DERC's Supply Code, 2017, which provides that "*where property/ premises have been legitimately sub-divided, the owner/occupier of the respective portion of such sub-divided property shall be entitled to obtain independent connection in his name.*" Consequently, a family arrangement cannot, by any means, be considered as a legitimate sub-division of a DDA flat. In this context, the Discom emphasized the order dated 27.02.2017 passed by the then Ombudsman in the case of Shri Madhur Vig vs BRPL in Appeal No. 769 of 2017.

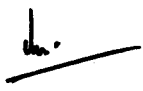


8. As regards the contention of the Appellant that releasing several connections in the vicinity of the area, is seeking negative equality, the Discom submitted that these connections were released/sanctioned prior to 2017, except one connection that was released in 2024. The details of each connection, i.e., addresses, names of the registered consumer, date of energization, date of disconnection, have been mentioned in their written submission. Furthermore, the Discom denies the Appellant's allegation related to Point 6 (vii) of the Appeal, and Discom submitted that a 'Site Verification Report' dated 24.04.2025, which contains photographs of the LT Bare and LT ABC passing above the premises, was provided to the Forum. It is apparent that a portion of the premises has been unauthorizedly extended beyond its original allocated area. Moreover, the issue of allotment of flat by the Rehabilitation Department was not brought forth before the Forum. The Discom emphasized that the construction of the premises is a single unit allotted by the government agency. However, all construction and management of government land and flats falls under the jurisdiction of DDA. The Appellant did not provide any documentation or allotment letter to support his claims.

9. The appeal was admitted and fixed for hearing on 17.09.2025. During the hearing, both the parties were present along with their representatives/advocates. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by Ombudsman, Advisor and Secretary, to elicit more information on the issue.

10 During the hearing, the Advocate representing the Appellant reaffirmed the contention, the grounds of parity and prayer in his appeal. In response to a query by the Ombudsman whether his unit was a new construction, a legitimate sub-division or unauthorized construction / extension, he was unable to provide any convincing answer to substantiate his claim of a valid sub-division. In response to a subsequent query from the Advisor (Engineering) regarding the originally allotted total area of the DDA Flat/single unit, in question, as at site on the ground floor, two kitchens, four bedrooms & two bathrooms are existing, he could not give any response, only asserting to have resided there for a long time. Moreover, the relevant Regulation 10 (4) (i) & (ii) of the DERC Supply Code, 2017 was cited to emphasize the necessity for a legitimate sub-division of the property/premises.

11. In rebuttal, the officer representing the Respondent reiterated its written submission. The Advisor (Engineering) detailed the various connections that were installed in the vicinity of the Appellant. Subsequently, when asked about the internal guidelines, notifications, or circulars that permitted the issuance of numerous



connections to others in similar situations, the officer present was unable to provide any document. However, officer present reaffirmed that the referred electricity connections were granted prior to 2017, with the exception of one connection that was issued in 2024, in accordance with the settlement in PLA for revival or restoration. Furthermore, the Respondent presented a site sketch to the Ombudsman to support its claim of encroachment in the area.

12. During the hearing, the Ombudsman clarified to the Appellant that negative parity does not exist. For the entitlement to the required connection, it is essential to present documentary evidence of a legitimate sub-division in accordance with the applicable regulations. Thus, electricity connections were permissible under legal construction only.

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

- (i) The connection applied for at the ground floor of the premises was rejected on the ground that a meter bearing CA No. 60016260196 already exists in the name of Smt. Reena, which was energized on 03.12.2014.
- (ii) The premises, in question, has been partitioned/sub-divided with internal arrangement and not legitimately sub-divided.
- (iii) The Appellant's plea is that their portions are different having separate entry/exit and no intermixing. For the front portion, a meter already exists, and he needs the electricity connection in the back portion.
- (iv) In the appeal, reference is made to the responsibility of Discom to release the connection as per Regulation 10(4)(i) & (ii) of the DERC's Supply Code, 2017, for legitimately sub-divided property.
- (v) The details provided by the Discom reveal that all the connections installed in the surrounding area were released prior to 2017, except for one (CA No: xxxxx3702), which has now been temporarily disconnected on 25.06.2025 due to outstanding dues.
- (vi) The Site Inspection Report dated 24.04.2025 shows that LT Bare and LT ABC conductors were found passing above the premises, which is a safety hazard for human beings. Discom needs to issue a notice according to Clauses 60, 61 and Clause 62, 63 of Central Electricity



Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 & 2023, respectively.


- (vii) DDA issued a Policy & Procedure for Permission and Regulations of Additions/Alterations in DDA Flats. It is clearly stated that no structural changes could be made by the occupier except for basic changes in the inner portion of the building and in the case of major changes, the necessary permission is required from the DDA. However, in the instant matter, no permission from the DDA is found.

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

- (i) The order of CGRF-TPDDL dated 26.06.2025 is upheld.
- (ii) Upon submission of documentary evidence by the Appellant with respect to legitimate sub-division of subject property, Discom is directed to issue the applied connection after completion of codal and commercial formalities within one week's time.
- (iii) The issuance of double electricity connections on the same floor in DDA Flats, in the vicinity, contravenes the existing DERC Supply Code, 2017, requires a thorough review and appropriate action by the Discom.

15. 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
18.09.2025