

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. 17/2026

(Against the CGRF-BYPL's order dated 13.04.2026 passed in Complaint No.17/2026)

IN THE MATTER OF

Shri Haseeb Ahmed

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri Anwar Ahmed, father and Shri Arman Khan, advocate,
on behalf of the Appellant

Respondent: Shri Ravinder Singh Bisht, DGM (Legal), Ms Anita Sharma,
Manager, Ms Monika Sharma, Legal Retainer, and
Shri Ashok Kumar & Shri Rahul Saini, Advocates,
on behalf of BYPL

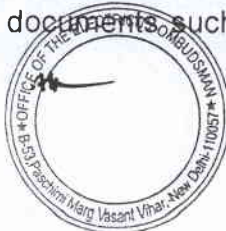
Date of Hearing: 29.07.2026

Date of Order: 03.08.2026

ORDER

1. Appeal No.17/2026 has been filed by Shri Haseeb Ahmed, S/o Shri Anwar Ahmed, R/o H.No.2660, 2nd Floor, Gali Satgrah, Mohalla Niyarian, Ajmeri Gate, Delhi - 110006, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 13.04.2026 passed in Complaint No.17/2026.

2. The background of the case presented before the Forum by the Appellant is that he had applied for a new domestic electricity connection at the second floor of the aforesaid premises, vide Request No. ONCCK1112255607 dated 11.12.2025. Despite submission of all the relevant documents such as General Power Attorney



(GPA), Aadhar Card & Voter ID of the same address in compliance with Regulation 10 (1)(v) of the DERC Supply Code, 2017, his application was rejected by the BYPL deliberately and illegally on the ground of incomplete documents and non-submission of the back chain of Anwar Ahmed. He relied upon Section 43 of the Electricity Act, 2003 under which a distribution licensee has a statutory obligation to provide electricity supply to the owner or occupier of the premises. He submitted that the Respondent could not deny electricity connection merely on the ground of absence of complete ownership documents. He further relied upon various judgments of Hon'ble Supreme Court and High Courts and previous decisions of the CGRF, including matters where electricity connections were granted despite absence of registered ownership documents, provided the applicant was found to be in possession of the premises. Moreover, he contended that the issue of ownership or title could not be a ground for denial of electricity supply which is a Fundamental Right under Article 21 of the Indian Constitution. He was entitled to relief under the provisions of the Electricity Act, 2003 and applicable regulations. Hence, he prayed to grant the applied connection immediately without submission of back chain, in compliance with Section 43 of the Electricity Act, 2003.

3. The Discom, in its written submission before the Forum, submitted that the Appellant had sought a new domestic electricity connection for the said premises. His application was rightly rejected due to non-compliance with the documentary requirements. Respondent submitted that upon scrutiny of the documents furnished by the Appellant, it was found that reliance was placed upon an alleged Gift Deed dated 05.03.2024, which was not a registered document, and a General Power of Attorney dated 04.12.2025 executed by Zakra Bi in his favour. The Respondent contended that under Section 17 of the Registration Act, 1908, registration of a gift deed relating to immovable property is mandatory and an unregistered Gift Deed does not create, assign, limit, or extinguish any right or title in the property. It was further submitted that a notarized GPA dated 04.12.2025 does not amount to transfer of ownership or create any independent right in immovable property. Therefore, the Appellant failed to establish lawful ownership or legally recognizable possessory rights over the premises. Thus, he was required to submit the complete ownership/back chain documents. The Respondent further pointed out that outstanding enforcement dues were pending against the same premises vide New CA Nos. 400314224 (Ground Floor), 401149381 (First Floor), and 401681070 (Applied Second Floor), and grant of a fresh connection without resolution of such dues would be contrary to applicable regulations.

Furthermore, it was also submitted that during site inspection, the premises was found to be claimed as Masjid property, and a written objection had been



received from the Muntazma Committee, Masjid Sagheer Hasan, asserting ownership over the property. The said Committee had requested that no new electricity connection be granted to the Appellant without their consent. Respondent argued that the dispute regarding ownership and nature of the property raised a serious title issue, which could be adjudicated in civil court rather than in summary proceedings before the Forum. The Appellant cannot seek to use Section 43 supra as a tool to bypass statutory registration requirements and pending civil disputes. Even, Section 43 of the Electricity Act, 2003 mandates supply to an "owner or occupier" subject to fulfillment of legal requirement. Respondent submitted that electricity supply is always subject to compliance with documentary verification, clearance of dues, and absence of recorded disputes affecting the premises. Hence, the rejection of the application by the Respondent was justified and in accordance with the applicable rules and regulations.

4. The Appellant, in his rejoinder and additional submissions, contended that the Respondent has incorrectly misinterpreted Regulation 10(1)(v) of the DERC Supply Code and the Electricity (Rights of Consumers) Rules, 2020. He argued that the Respondent made false, unsubstantiated written statements regarding a civil dispute with a third party, namely the Masjid Committee, without submitting any documentary evidence. Regarding the alleged past dues, the Appellant submitted that since the three referenced connection numbers are not linked to him, he cannot be compelled to clear the dues as a pre-condition for grant of a new electricity connection under Section 43 of the Electricity Act, 2003. Without prejudice to his rights, he stated his willingness to execute an indemnity bond undertaking to comply in accordance with the law, if any lawful liability be subsequently determined against him by a competent authority. Furthermore, regarding the registration of the Gift Deed dated 05.03.2024, the Appellant contended that because the present case involves a gift governed by Muslim law, the absence of registration cannot invalidate a completed gift (Hiba) in accordance with Section 129 of the Transfer of Property Act, 1882, read with the Muslim Personal Law (Shariat) Application Act, 1937. He submitted that grant of an electricity connection does not confer ownership rights and, consequently, should not be withheld on the basis of a disputed property title.

The Appellant supported his claim with various documents such as copies of Aadhar Card, Voter ID card, General Power of Attorney dated 04.12.2025, Gift Deed dated 05.03.2024, executed by the Appellant's father Shri Anwar Ahmed in favour of his wife, Smt. Zakra Bi, LPG gas connection documents, bank passbook with verified photographs, Indemnity Bond, MLA letter, Pan Card, Affidavit of Occupancy, relevant provisions of Electricity Act, 2003 (Section 43 etc.), DERC Regulations, 2017 (Regulation 10), Electricity (Rights of Consumer) Rules, 2020 (Rule 4 (9)) & an



application for compensation regarding undue harassment and the wrongful deprivation of electricity supply. Furthermore, the Appellant again submitted various orders of Hon'ble Supreme Court and High Courts under which judicial precedents affirm statutory duty and occupation-based entitlement.

5. The Forum, in its order dated 13.04.2026, held that the Appellant failed to establish lawful ownership or possession of the subject premises. The incomplete property chain such as unregistered Gift Deed and notarized GPA were not considered as sufficient proof of title. Hence, he cannot claim benefit of Section 43 of the Electricity Act, 2003 in the absence of lawful possession/ownership. Hence, in view of incomplete documents, pending dues, and an existing property dispute with Muntazma Committee of Masjid, the Forum endorsed the rejection of application for new connection by the Respondent. The complaint was dismissed, with liberty to the Appellant to approach the competent court for adjudication of title / possession disputes.

6. The Appellant, dissatisfied with the above-said order, has preferred this appeal, reiterating his stand as before the Forum. He argued based on the following grounds:

- (i) Denying electricity to a family with aged parents and a cancer survivor mother constitutes undue harassment and violates Article 21 of the Constitution (Right to Life and Basic Amenities).
- (ii) CGRF misdirected itself in law by treating an "occupier" as an "owner" under Section 43, effectively rewriting the statutory provision and defeating its purpose.
- (iii) CGRF exceeded its jurisdiction by adjudicating ownership disputes based on objections raised by a third party.
- (iv) CGRF failed to consider material evidence proving the physical possession of the property. Binding precedents were ignored which strictly prohibit the denial of an electricity connection due to ownership disputes or lack of title documents.
- (v) Relying on the non-registration of a gift deed is legally non-tenable and contradicts settled positions under Muslim law.
- (vi) Using outstanding dues as a barrier to deny the connection is an arbitrary action against the Appellant.

The Appellant has prayed for the following relief:



- (i) To set-aside the impugned order dated 13.04.2026 passed by the CGRF-BYPL.
- (ii) To grant electricity connection to the Appellant at the subject premises, without insisting upon proof of ownership or resolution of title dispute and upon such terms as this Authority may deem fit.
- (iii) To direct the alleged dues, if any, shall not operate as a bar to grant of electricity connection, particularly in view of Appellant's willingness to clear dues pertaining to the premises, subject to determination in accordance with law.
- (iv) To pass such other and further orders as this Authority may deem fit and proper.

7. The appeal was admitted on 13.05.2026.

8. The Respondent, in its written submission to the appeal, reiterated the facts as placed before the CGRF-BYPL. The Respondent refuted all the allegations and arguments put forth by the Appellant in the appeal. Respondent asserted that humanitarian considerations cannot override the statutory requirements and regulatory obligations governing electricity connections. Regarding the alleged misapplication of the term "owner or occupier" under Section 43, the Respondent submitted that the Appellant previously approached the case as an owner rather than an occupier, therefore, he cannot now raise a new ground claiming entitlement to a connection based on occupancy. Furthermore, the Respondent firmly asserted that there was no jurisdictional overreach by the Forum, as the CGRF rightly observed that title disputes fall outside its purview and may seek appropriate adjudication before a competent civil court. CGRF also correctly observed that the material produced by the Appellant was insufficient and that his relied-upon judgments were factually distinguishable. The Respondent asserted that it is neither a civil court nor a probate court, and therefore the validity of a Muslim gift (Hiba) was not an issue before it. Addressing the alleged arbitrary demand for electricity dues, the Respondent submitted that DERC Regulations expressly permit the consideration of outstanding dues attached to a premises, adding that the Appellant's willingness to clear these dues does not automatically cure remaining defects concerning ownership and possession. Moreover, the Respondent concluded that even if the dues were fully cleared, the serious ownership dispute and third-party objections would continue to subsist. Even Article 21 is not applicable and no violation of Article 14 occurred in the present matter.



9. The Appellant, in his rejoinder to the written submission of the Respondent, reiterated the claims, contentions and prayer, as outlined above. In addition, he submitted that the allegation of concealment of facts and change his stand is false and denied. Section 43 recognizes two categories, owner or occupier. No provision of the Electricity Act bars an applicant from seeking electricity as an occupier merely because, title documents are disputed.

10. The date was fixed for hearing on 29.07.2026. During the hearing, the Appellant was present and the Respondent was represented by their authorized representative/advocates. Opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman, Secretary & Advisor (Engineering) to elicit more information on the issue.

11. During the hearing, the Advocate appearing for the Appellant pressed upon the claims, arguments and prayer made in the appeal and in the rejoinder. He presented written argument before the Ombudsman under which reaffirming the version, as outlined above. The same was taken on record. In response to a query regarding occupancy, the Advocate submitted that the property was reconstructed in the shape of ground floor and first floor in the year 2012 & 2018 respectively and subsequently second floor at a later stage. However, the Appellant is residing at the second floor since 2024 and there is no civil dispute pending in any court in reference to the subject premises. Regarding the payment of enforcement dues, Advocate expressed Appellant's willingness to pay the dues pertaining to the second floor only.

12. In rebuttal, the Advocate for the Respondent reiterated the arguments, prayer made in the written submission to the appeal. Respondent asserted that for obtaining the connection on the second floor, the Appellant has to apply afresh on the basis of occupancy. However, the Advisor (Engineering) pointed out that the new connection application form for an electricity connection does not separately categorize ownership and occupancy, allowing either to be furnished interchangeably as proof under Regulation 10 (3) of the DERC Supply Code, 2017. In response to a query as to whether Respondent admits the Appellant's occupancy at the applied second floor, the Respondent answered in affirmative.

13. During the hearing, the Ombudsman further emphasized that, admittedly, there is no electricity connection at the second floor. Even the documents submitted by the Appellant and acceptance by the Respondent conclusively establish the Appellant's proper occupancy



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

- (i) A perusal of records establishes an identical name and address in all the documents placed on record by the Appellant such as GPA dated 04.12.2025, Aadhaar Card, Voter ID card, bank account opened on 01.02.2023, and gas delivery receipt dated 12.01.2026 etc.
- (ii) Thus, to obtain the applied domestic connection of 1 KW, the Appellant has submitted the required documents such as Aadhar Card & Voter ID card as a "Proof of Identity" and General Power of Attorney dated 04.12.2025 as a "Proof of ownership or occupancy of the Premises" in accordance with Regulation 10 (2) & 10 (3) respectively of the DERC Supply Code, 2017. Apart from that he has supported multiple other documents also. Further, for proof of ownership, chain of documents is not required under Regulation 10 (3) of DERC Supply Code, 2017.
- (iii) It is also borne out from the record that the Appellant is in settled possession of the applied premises.
- (iv) Regarding the outstanding dues on the premises, the records shows that the Appellant's liability is strictly confined to the clearance of enforcement dues of Rs.15,648/- (date of inspection - 08.01.2025) which pertain exclusively to the second floor in accordance with Regulation 42 of DERC Supply Code, 2017.

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

- (i) The order dated 13.04.2026 of CGRF-BYPL is modified.
- (ii) Respondent is directed to release the applied electricity connection (domestic category) to the Appellant after clearance of pending dues of 2nd Floor (Enforcement Case ID : YM080125CE025) by him and upon completion of other commercial formalities.
- (iii) The compliance report be shared with this office in 30 days of the issue of this order.



16. 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.



Electricity Ombudsman
03.08.2026