

**OFFICE OF THE 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 No: 011- 26144979)

**Appeal No. 32/2022**

(Against the CGRF-TPDDL's order dated 19.05.2022 in CG No. 33/2022)

**IN THE MATTER OF**

**SMT. POONAM DEVI**

**Vs.**

**TATA POWER DELHI DISTRIBUTION LTD.**

**Present:**

Appellant: Smt. Poonam Devi along with Shri Harhangi Prasad  
Authorized Representative

Respondent: Shri Ajay Joshi, Sr. Manager (Legal), Shri Vivek Kumar,  
Zonal Manager and Shri Devender Singh, Accounts Officer,  
on behalf of the TPDDL.

Date of Hearing: 07.12.2022

Date of Order: 08.12.2022

**ORDER**

1. Appeal No. 32/2022 has been filed by Smt. Poonam Devi, R/o Plot No. 5, Khasra No. 672, First Floor, Extended Lal Dora, Conductor Colony, Village Burari, Delhi, for non-compliance of the order dated 19.05.2022 passed by CGRF-TPDDL in CG No. 33/2022 & 34/2022.

2. The brief history of the case is that the Appellant is an owner of the above mentioned premises and applied for 2 KW new connections at the same premises vide Notification No. 2029296709 (for ground floor) and 2029296728 (for first floor), which has been rejected by the Respondent on the ground "space constraint/ROW issue for electrification at site". Then the Appellant filed a complaint before the CGRF to direct the Respondent for release of connections. The Respondent before the CGRF contended that applied connections falls under un-electrified area and needs electrification/augmentation of network for release of

connections as nearby network/distribution transformer is fully loaded and there is no margin for release of further connections. The Respondent also submitted that they are working and exploring all possibilities but these constraints are beyond the control of the Discom.

3. After hearing, the CGRF opined that since the premises falls under an un-electrified area, it directed the Respondent to proceed with Regulations 11 of DERC's Supply Code, 2017, and make the area electrified within four months. Alternatively, if the complainant applied for a 2 KW domestic load, the possibility be explored for providing the connections through an existing set-up by the Respondent and a progress report pertaining to electrification of the area will be submitted within 30 days. Also, periodical progress reports be submitted till four months from the date of receipt of the order, i.e. 19.05.2022.
4. Subsequently, the Appellant approached the Respondent vide her letters dated 04.08.2022 and 29.08.2022 to release the connections but in vain, therefore, she has preferred this appeal for non-compliance of CGRF's order dated 19.05.2022 with the prayer to direct the Respondent to release the new electricity connections at the earliest in the interest of justice.
5. The appeal was admitted and taken up for the hearing on 07.12.2022. During the hearing both the parties were present with their Counsel/authorized representative. An opportunity was given to both to plead their case at length.
6. The Appellant reiterated that the connection has not been released and the application is pending for the last year and a half. The Appellant further contended that four-five poles with transformers are available in the vicinity of her house and connection could be given from these transformers. When specifically asked about the resistance from the neighbours, the Appellant explained that the pole proposed by the Respondent is at a turn which would have proved obstructive for the vehicles to turn. According to the Appellant, the Respondent could provide the connection by changing the placement of the pole.
7. In rebuttal, the Respondent contended that on the direction of the Forum, they have framed Scheme No.HR/S0414/00155 for the installation of Transformer and when attempting the execution of the scheme on 23.08.2022 and subsequently on 11.10.2022, the local public of the area created hindrance at the site and did not allow their workforce for installation of single phase transformer. In this regard, a report on its present status along with photographs of the site is placed on record. The Respondent further submitted that the nearest DT (capacity


of 50 KVA - single phase) is loaded more than 95%. However, the augmentation could not be possible due to narrow streets and extended balconies of the residential area.

8. During the hearing, relevant questions were asked by the Advisor (Law), Advisor (Engineering) and the Ombudsman to elicit more details about the issue, in question. I had gone through the appeal and written statement, in details.

9. Given the above background, I am of the considered opinion that no case is made out for interference with the verdict of the CGRF. The Respondent was directed to electrify the said area and take action as per DERC's Regulations within specified timelines for release of connections. Since the timeline has already passed and there is an inordinate delay in getting the connection released for no valid reason. This Court is constrained to take a tough view.

10 In view of the above and the fact that electricity is a basic necessity and inherent right (Supreme Court Judgement dated 19.12.1996 in the case of M/s Mafatlal Industries Ltd. vs. Union of India Etc.) the Respondent is directed to provide the said electricity connection in the next twenty (20) days or face penal action as per DERC's guidelines/regulations. The compliance may be undertaken while taking the support of District Administration/Police, in case required. Action taken report/compliance be shared with the Court on 02.01.2023.

11. The appeal is disposed off accordingly.

  
(P.K. Bhardwaj)  
Electricity Ombudsman  
08.12.2022