

**OFFICE OF THE ELECTRICITY OMBUDSMAN**  
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)  
**B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057**  
(Phone No.: 32506011, Fax No.26141205)

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**Appeal No. F. ELECT/Ombudsman/2012/468**

Appeal against Order dated 13.12.2011 passed by the CGRF–TPDDL in CG.No. 3678/08/11/SMB.

**In the matter of:**

Smt. Rukhsana Khatoon                      Appellant

**Versus**

M/s Tata Power Delhi                      Respondent  
Distribution Ltd.

**Present:-**

**Appellant**              The Appellant, Smt. Rukhsana Khatoon, was not present.

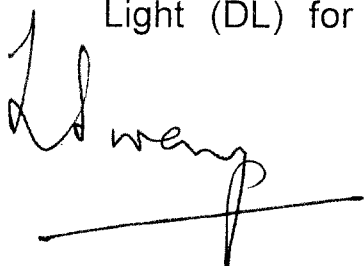
**Respondent**              Shri K.L. Bhayana, Adviser, and  
Shri Vivek, Sr. Manager, attended on behalf of the Respondent

**Date of Hearing**              : 15.03.2012

**Date of Order**              : 19.03.2012

**ORDER NO. OMBUDSMAN/2012/468**

1.0 The Appellant, Smt. Rukhsana Khatoon, w/o Mohd. Siddiquee R/o Gali No.15, Block A-1, Sant Nagar, Bengali Colony, Burari, Delhi – 110084, has filed this appeal against the order of the CGRF-NDPL dated 13.12.2011 in C.G. No.3678/08/11/SMB regarding change of category from Non-Domestic Light (NDL) to Domestic Light (DL) for connection bearing K. No.45505259750 (C.A.



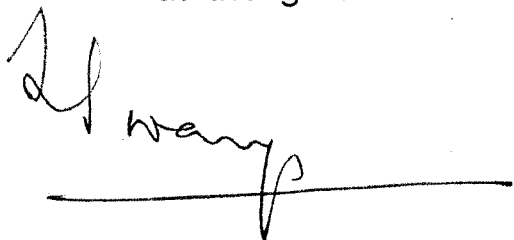
No.60008397287) as the category was not changed by the Respondent.

2.0 The background of the case as per the records is as under:

2.1 The Appellant had filed a complaint before the CGRF-NDPL on 08.08.2011 that she had applied to the Discom for change of supply type from Non-Domestic Light to Domestic Light, vide notification No.2000425072 dated 05.06.2011, for connection bearing K. No.45505259750 (C.A. No.60008397287) installed at H. No.125, Gali No.15 A 1, Bengali Colony, Sant Nagar, Village Burari, Delhi-110084, energized on 30.08.2008 with a sanctioned load of 1 KW for non-domestic purposes.

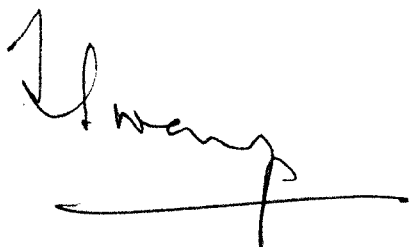
2.2 As per the Discom, on receipt of the request, the site was visited, and it was found that the premises has no separate dwelling unit fed by the disconnected non-domestic connection, warranting change in category to domestic.

2.3 The Discom stated before the Forum that, as per the Site Inspection Report dated 01.11.2011, there were three connections available in the Appellant's premises. The DL connection bearing K. No.45505259748 was being used for the second floor, another DL connection bearing K. No.4550251749 was also being used for the first and ground floor and the NDL connection bearing K. No.455505259750 at ground floor was found disconnected at the time of the site visit. A shop was built at the ground floor which was being partly used for domestic



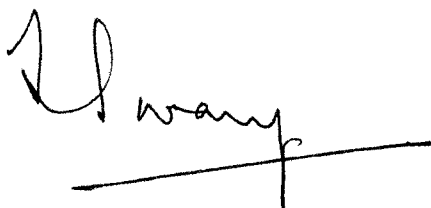
purposes, and was receiving supply from the first floor domestic connection, while there was no commercial activity (at the time of site visit) at the ground floor where the connection bearing K. No.45505259750 was existing and lay disconnected.

- 2.4 The CGRF-NDPL vide its order dated 13.12.2011 decided that as per the Inspection Report there was no commercial activity at the ground floor and the ground floor was being used as a domestic room, so the category of the connection from non-domestic to domestic was to be changed after reconnection of the supply.
- 2.5 The Appellant, Smt. Rukhsana Khatoon, not satisfied with the above order of the CGRF-NDPL, has filed this appeal on 27.01.2012 and has prayed that the category of the connection from non-domestic to domestic be changed, and supply restored after revision of the bill from a retrospective date, i.e. 06.04.2011.
- 2.6 As per DISCOM, the CGRF has not ordered any revision of the bill on domestic tariff from a retrospective date. According to the Discom, the electricity supply has been restored on 04.01.2012, after payment of dues, and the category from DL to NL has also been changed on 04.01.2012.
- 3.0 After receipt of the CGRF-NDPL's record and the para-wise comments from the Discom, the case was fixed for personal hearing on 13.03.2012. The case was adjourned to 15.03.2012.



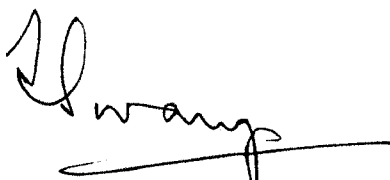
On 15.03.2012, the Appellant, Smt. Rukhsana Khatoon, was not present, and no intimation for her absence was received. The Respondent was represented by Shri K. L. Bhayana – Advisor (Legal) and Shri Vivek – Sr. Manager (Legal). The Respondent was heard. The case was reserved for final orders.

- 3.1 From a perusal of the records placed on the file, it is observed that the shop is not a separate dwelling unit, and part of it is connected with the first floor meter. Presently, there are three connections in the premises of the Appellant. The DL connection bearing K. No.45505259748 is being used for the second floor, the DL connection bearing K. No.45505251749 is being used for the first floor and the ground floor and the NDL connection bearing K. No.45505259750 is found to be disconnected. A shop exists at the ground floor, and is partly being used as a domestic room. The disconnected connection bearing K. No. 45505259750 was earlier feeding the shop. Since at the ground floor, the domestic connection bearing K. No.:45505251749 already exists, and also a shop exists at ground floor; accordingly, the Appellant intends to have two domestic connections in the same premises at ground floor, which <sup>are</sup> ~~is~~ not separate dwelling units. This is not permissible as per rules. As such the disconnected NDL connection cannot be converted into a domestic connection. Therefore, the order of the CGRF for the category change from NDL connection to domestic is set-aside. If the NDL connection is not required by the consumer, it can be surrendered.



4.0 The appeal is disposed of accordingly. The Compliance Report of this order may be submitted within 21 days.

19<sup>th</sup> March 2012.

  
(SUMAN SWARUP)  
OMBUDSMAN

