



Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032

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SECY:CHN 015/08NKS

C A No. Applied For Complaint No. 90/2026

In the matter of:

Atul Bajaj

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. Shalabh Kumar, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Akash Ruhela, Counsel for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 18th August, 2026

Date of Order: 20th August, 2026

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief facts of the grievance are that the complainant has applied for new electricity connection vide request no. 8007979962 at premises no. 2681 to 2683, GF, Pvt no. 2, Gali No.1, Block-L, Ajmal Khan, Road Naiwala Estate, Beadonpura, Karol Bagh, Delhi-110005, but application of the complainant for new electricity connection was rejected by OP on grounds of "Disconnected meter exists in applied shop removal required of meter no. 70155275, Energy Dues against CA No. 150297957, Fire Safety Clearance Required as applied building structure is basement, ground + Five".

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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new non-domestic electricity connection vide application no. 8007979962 at premises bearing no. 2681 to 2683, GF, Pvt no. 2, Gali No.1, Block-L, Ajmal Khan, Road Naiwala Estate, Beadonpura, Karol Bagh, Delhi-110005, which is Basement + Ground Floor + Five Floors building.

It is further stated that the height of the said building exceeds 15 meters; therefore, Fire Safety Clearance/ NOC from the competent authority is mandatory. A disconnected meter bearing No. 70155275 exists at the applied shop premises, and removal of the same is required after payment of outstanding energy dues amounting to Rs. 1,821/-. It is further submitted that the complainant has failed to provide complete chain of title (back chain) and original ownership documents for proper verification. Further a judgment of the Hon'ble Delhi High Court was also quoted in the matter of Ms. Azra Vs. State (GNCTD) &Ors., decided on 06.02.2020.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that the respondent has released many connections in the same premises and the respondent has released a connection of a neighbour with same condition at the applied premises vide CA No. 155057206 in the name of Atul Garg at 2778-79, Ground Floor, Gali No.21, Beadon Pura, Shop No.3, Karol Bagh, Delhi-110005 i.e. G+5 and many other connections were sanctioned in the neighbour having building structure of G+5. It is submitted that the respondent had earlier released the connection in the name of the complainant without any demand of Fire Safety Certificate. That the respondent has released many connections in the year 2022 without demand of the fire safety clearance certificate. That after the passing of the judgment by the Hon'ble Delhi High Court in Ms. Azra vs. State (GNCTD) &Ors., decided on 06.02.2020, the respondent had released many connections in the year 2022 in the same premises.

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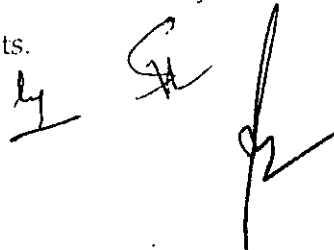
Complaint No. 90/2026

4. Arguments of both the parties are heard.
5. From the narration of facts and materials placed before us we find that the complainant has applied for new non-domestic connection at premises no. 2681 to 2683, GF, Pvt2, Gali No.1, Block-L, Ajmal Khan, Road Naiwala Estate, Beadonpura, Karol Bagh, Delhi-110005 which was rejected by O.P on the grounds of Disconnected meter exists in applied shop removal required of meter no. 70155275, Energy Dues against CA No. 150297957, Fire Safety Clearance Required as the applied building structure is basement ground + Five Floors and the height of the building exceeds 15 meters. The respondent in its reply stated that as the building height exceeds 15 meters, Fire Safety Clearance Certificate/ NOC is required for the release of the new electricity connection. Also there were energy dues of Rs. 1,821/- on the premises which has to be cleared for the release of the new connection.
6. The first issue which arises for consideration is whether the objection of the respondent regarding the requirement of Fire Safety Clearance/NOC is sustainable.

It is not disputed that the premises in question forms part of a building stated by the respondent to comprise Basement + Ground Floor + Five Floors and that the height of the building exceeds 15 metres. The respondent has, therefore, required the complainant to furnish Fire Safety Clearance/NOC from the competent authority. The requirement of compliance with statutory and safety requirements cannot be dispensed with merely on the ground that electricity connections may have been released to some other occupants of the same building. The fact that other connections exist in the building does not, by itself, confer an indefeasible right upon the complainant to obtain a fresh electricity connection in disregard of the applicable safety requirements.

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The Hon'ble High Court of Delhi in *Ms. Azra v. State (GNCTD) & Ors.*, W.P.(C) 2453/2019, decided on 06.02.2020, was also concerned with a similar contention where the petitioner relied upon the existence of electricity connections in other portions of a building, while the respondents relied upon the requirement of fire clearance for a building exceeding 15 metres and outstanding electricity dues. The Court considered the regulatory directions issued by DERC in this regard.

In the present case, therefore, the existence of connections in neighboring shops or other portions of the building cannot be treated as a ground for directing the respondent to ignore a mandatory safety requirement applicable to the premises/building in question. The plea of the complainant that connections were released in the same or neighboring premises in earlier years also cannot create an estoppel against the respondent or a vested right in favour of the complainant. Each application for supply is required to be considered in accordance with the applicable statutory and regulatory framework prevailing at the relevant time.

7. The next issue relates to the disconnected meter bearing No. 70155275 and the outstanding energy dues of Rs.1,821/- against CA No.150297957.

The respondent has specifically stated that a disconnected meter exists at the applied shop premises and that outstanding energy dues of Rs.1,821/- are pending against the said connection. The complainant has not placed before the Forum any material establishing that the said meter does not relate to the applied premises or that the outstanding amount has already been paid or otherwise lawfully discharged. In these circumstances, the respondent cannot be faulted for requiring resolution of the existing disconnected connection and the outstanding dues before processing the application further, subject to the applicable provisions of the Supply Code and other relevant regulations.

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As regards the respondent's objection concerning the complete chain of title/back-chain and original ownership documents, it is observed that the distribution licensee is entitled to undertake reasonable verification of the applicant's documents and the applicant's entitlement to seek supply at the premises. At the same time, the Forum is not required to adjudicate complicated questions of title or ownership in proceedings concerning release of an electricity connection. The electricity connection does not by itself create or determine any right, title or interest in the property.

Thus, on consideration of the material placed on record, this Forum finds that the complainant has not established that the rejection of application No. 8007979962 was wholly arbitrary or contrary to the applicable regulatory framework. The objections raised by the respondent regarding the safety clearance and the existing disconnected meter/outstanding dues require compliance/resolution before the application can be processed further.

ORDER

In view of the foregoing discussion and findings, the grievance of the complainant is disposed of with the following directions:

The complainant shall obtain and furnish the requisite Fire Safety Clearance/NOC from the competent authority, since the same is applicable to the premises/building under the prevailing statutory/regulatory requirements.

The complainant shall also ensure removal/regularization of the disconnected meter bearing No. 70155275 and settlement of the outstanding energy dues of Rs.1,821/-, in accordance with law and the applicable regulations.

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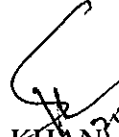
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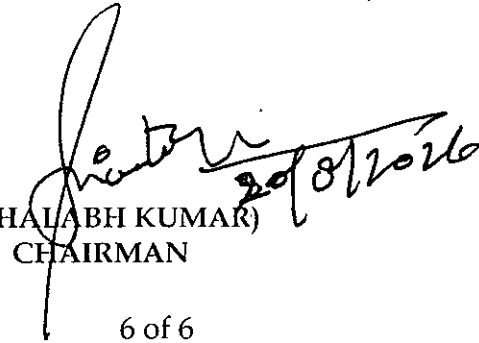
Upon compliance by the complainant with the aforesaid requirements and submission of complete documents, the respondent shall re-examine and process application No. 8007979962 afresh in accordance with the applicable DERC Regulations, Supply Code and other statutory requirements.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(SHALABH KUMAR)
CHAIRMAN

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