

CA No. Applied for
Complaint No. 182/2025

In the matter of:

Mohd Aslam & OthersComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Rajat Sharma, Counsel for the complainant along with complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Mr. Shiven Mishra, On behalf of BYPL

ORDER

Date of Hearing: 18th December, 2025

Date of Order: 07th January, 2026

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief facts of the grievance are that the complainant applied for new electricity connections vide request no. ONDRG2102254299, ONDRG2102254252, ONDRG1902259407, ONDRG1902250957, ONDRG1902258834, ONDRG0512242423, ONDRG1902258964 and ONDRG2910247134 at different floors of premises no. 2222, ward-IX, Bazar Chitli Qabar, Jama Masjid, Delhi-110006 but his application for new connection was rejected by OP on pretext of MCD objection.

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1 of 4

Complaint No. 182/2025

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking multiple new electricity connections at premises no. 2222, Chitli Qabar, Jama Masjid, front back, near Chitli Qabar, Delhi. All the connections which have been primarily denied for the reason that the applied premises is booked by MCD. Therefore, submission of a valid NOC/BCC from the MCD is pre-requisite condition for grant of new connection.
- Reply further submits that since commercial connection is also sought which mandated FIRE NOC as the structure is G+5 floor, which is having height more than 15 meters and in terms of Rule 27 of DFS it is required to obtain FIRE NOC.
3. The representative of the complainant refuted the contentions of the respondent as averred in their reply and submitted that the contention of the OP of MCD booking is baseless for the reason that respondent itself in several other premises which stand booked by MCD has granted and continues to supply electricity connections. Regarding requirement of Fire NOC, the complainant stated that he has sought grant of domestic electricity connections, hence, the requirement of Fire NOC for commercial connection is irrelevant.
4. Arguments of both the parties are heard.
5. From the narration of facts and material placed before us we find that the applications of the complainant for new electricity connections were rejected by OP on grounds of MCD booking and building height more than 15 meters.
6. Regarding OP's objection for MCD booking, in this regard the recent Judgment of Hon'ble Delhi High Court vide order no. W.P. (c) 7618/2023 & CM appl. 29530/2023, CM Appl. 70837/2025 dated 13.11.2025 has held as under

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Secretary
CGRF (BYPL)

Complaint No. 182/2025

"19. Thus, considering the detailed discussion hereinabove, this Court is of the view that there is no impediment with the petitioner company to grant or continue with electricity connection in the premises, where such premises are booked for unauthorized construction. However, as and when MCD takes any coercive action against such properties, which are booked for unauthorized construction, the MCD shall duly intimate the concerned electricity companies, in that regard.

20. The electricity company shall be free to disconnect the electricity connection, as and when such request or direction is given by the MCD, at the time of taking action against the unauthorized construction in the properties in question.

7. The Government of National Capital Territory of Delhi (Department of Power) vide their circular no. E.11/2025/Power/7091-97 dated 17.11.2025 also directed DISCOMs to not to deny or discontinue electricity supply in premises merely because the property is booked for unauthorized construction.

To disconnect electricity only upon receiving formal intimation from MCD at the time of demolition/sealing action.

8. Therefore, MCD objection raised by OP is set aside.
9. Regarding objection of FIRE NOC, the site inspection report submitted by OP shows that the building structure is ground plus five floors over it. Neither the complainant nor the OP has cleared under which category the complainant has applied for new electricity connections. Therefore, in the absence of the complete information the Forum is unable to give its judgment.

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Secretary
CGRF (BYPL)

Complaint No. 182/2025

However, if the connections applied for by the complainant are under domestic category and for the building portions which are less than 15 meters, the OP should release the connections to the complainant. No commercial connection on the subject property should be released without fire NOC.

ORDER


The complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant at different floors till the height of 15 meters of premises no. 2222, ward-IX, Bazar Chitli Qabar, Jama MASjid, Delhi-110006 and completion of other commercial formalities as per DERC Regulations 2017. The complainant is further directed to file an affidavit/undertaking stating that if any authority/department takes any action against the property of the complainant OP should be free to take action as per law.


This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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.)


(P.K. SINGH)
CHAIRMAN

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