



**CA No. Applied for**  
**Complaint No. 446/2025**

**In the matter of:**

Samiran Begum .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Suraj Aggarwal, Counsel for the complainant
2. Mr. R.S. Bisht & Ms. Chhavi Rani, On behalf of BYPL

**ORDER**

Date of Hearing: 10<sup>th</sup> February, 2026  
Date of Order: 11<sup>th</sup> February, 2026

**Order Pronounced By:- Mr. P.K. Singh, Chairman**

1. The present complaint is filed by Ms. Samiran Begum against BSES-YPL, Nand Nagri.
2. The brief facts of the grievance are that the complainant applied for new electricity connections vide request no. 8007963527 and 8007963641 at premises no. H.No. B-19, Kh. No. 24/1, Ground floor, first floor, plot no. G-4, New Mandoli, Gali no. 13, Main 30 ft road, Delhi-110093.

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It is also her case that she applied for commercial connection on the ground floor and OP rejected her application for new electricity connection on the ground floor of the premises on the basis of energy dues against CA/meter-energy dues as per clause no. 11 (2-iv) of DERC supply code.

Regarding her application for new connection on first floor under domestic category, the OP rejected the application on separate ground i.e. premises with inadequate/unsafe clearance from HT/LT lines - as per clause 58,59,60 & 6 of CEA measures relating to safety and electric supply Regulations, 2010 and Clause no. 5 of DERC Supply code.

3. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connections at ground floor under NX category and first floor under domestic category at premises bearing no. H.No. B-19, Kh. No. 24/1, plot no. G-4, New Mandoli, Gali no. 13, Main 30 ft road, Delhi-110093.

Reply further submitted that the application of the complainant for new domestic connection has been duly rejected on the grounds of applied premises is a part of larger unit plot having area more than 600 sq. meters and the applied premises falls in an un-electrified gali having no support pole, accordingly ESS space is required.

Reply further submitted that the complainant along with her application submitted GPA dated 04.11.2024 executed by Mohsin Khan, s/o Lt. Sh. Abbas Ali, in favour of Sh. Shamsheer ali s/o Sh. Alijan in respect of plot bearing no. L type, measuring 50 ½ sq. yards out of Kh. No. 24/1, bearing property no. B-19, plot no. G-4, village Mandoli Abadi of main 30 ft road, and gali no. 13, B-block, New Mandoli Shahdara, Delhi.

It is further added that ground floor applied premises is a vacant small hall and no complete dwelling unit i.e. no kitchen, no rooms, no washrooms, as such the installation of electricity connection is invariance upon inspection and violation of provision regulation 1 (2) (iv) of DERC, as such electricity connection for this reason cannot be sanction.



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4. The complainant in its rejoinder refuted all the objections raised by respondent in its reply and submitted that her property is less than 600 square meters and as per DERC Rules, they do not need to provide space for ESS installation. The complainant further submitted that both her left and right side neighbours already have electricity connections. Along with rejoinder, the complainant also submitted site photographs showing OP's network in their area and also a meter installed by BSES in the neighbouring property. The complainant also submitted forum's order in the matter of Sushil Gupta having C.G. No. 371/2025, where the Forum has considered that since the plot size of the complainant is only 35 sq. yards, out of entire area of 317 sq. yards, and ESS space is required for plots having size 600 sq m or above.

5. Arguments of both the parties were heard.

6. Before disposal of the present complaint the relevant regulation applicable in the present case is narrated here:

DERC order no. F.17(85)/DERC/Engg./2020-2021/7022 dated 01.08.2023, is reproduced here:

**6. Space for Installation of Grid sub-station, transformers, service line, meter and other equipment under Regulation 22 of Supply Code Regulations: -**

**(1) The developer/applicant taking supply at Low Tension level for any new premises or for re-constructed premises, requiring LT Service connections whose:**







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(i) total cumulative demand of all floors in the plot/ building for LT service connection exceeds 100 kW/108 kVA; or

(ii) total cumulative built up area of the premises in the plot/building exceeds 2000 sqm; or

(iii) plot of size above 600 sqm or above;

shall provide the space for installation of distribution transformers, as per the required load:

Provided that the minimum space required to be provided by the developer/applicant for installation of distribution transformers/ equipment shall be as per circular no. South DMC/0148/SE(B)HQ/Addl. ComI/17 dated 30.03.2017 notified by South Delhi Municipal Corporation or as amended from time to time, annexed at Schedule I:

Provided also that if the required space is not provided by the applicant or the developer, the distribution Licensee may refuse the grant of additional load:

Provided also that the consumer taking supply at LT voltage level, irrespective of its sanctioned load or the contract demand as the case may be, shall also provide the space to the licensee for installation of meter, and part of service line up to the point of supply, to the extent that would fall within his premises.

[Explanation: For the purpose of this sub-clause, the built-up area shall be as specified in the plan approved by the authorized agencies. In case, built-up area is not specified in the approved plan, the built up area shall be taken as the carpet area plus the thickness of outer walls and the balcony]



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The following issues arise for consideration:

1. Whether the complainant's premises attracts the requirement of providing ESS space under DERC Regulations?
2. Whether the respondent was justified in rejecting the domestic connection on the ground of "un-electrified gali" and safety clearance?
3. Whether rejection of the commercial connection on the ground of energy dues and incomplete dwelling unit is legally sustainable?

### **Regarding Issue No. 1: Requirement of ESS Space**

As per DERC Order No. F.17(85)/DERC/Engg./2020-2021/7022 dated 01.08.2023, space for installation of distribution transformer is required where:

- Total cumulative demand exceeds 100 kW/108 kVA; or
- Total cumulative built-up area exceeds 2000 sq. meters; or
- Plot size exceeds 600 sq. meters.

The complainant has placed on record a GPA indicating an area of approximately 50½ sq. yards. Even assuming the entire property measures 317 sq. yards (as argued in similar precedent cited), the same is significantly below 600 sq. meters (approx. 717 sq. yards).

The respondent has not produced any documentary evidence to establish that:

- The entire plot exceeds 600 sq. meters; or
- The cumulative demand exceeds the prescribed limit; or
- Built-up area exceeds 2000 sq. meters.

In absence of such proof, this Forum finds that the objection regarding mandatory ESS space is not sustainable.

Attested True Copy Accordingly, Issue No. 1 is decided in favour of the complainant.

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**Regarding Issue No. 2: Un-electrified Gali and Safety Clearance**

The respondent has stated that the premises are located in an un-electrified gali having no support pole and that clearance from HT/LT lines is inadequate as per CEA Regulations.

However:

- The complainant has filed photographs showing existing distribution network.
- A meter installed by the respondent in neighboring property is shown.
- The respondent has not placed on record any site inspection report specifying:
  - Exact measurement of clearance from HT/LT lines;
  - Technical infeasibility;
  - Written engineering note or safety violation report.

A mere bald assertion of unsafe clearance, without technical inspection report and measurement data, cannot justify denial of electricity supply.

Electricity is an essential service. Denial must be supported by cogent technical evidence.

In absence of any detailed inspection report or documentary substantiation, this Forum finds the rejection on these grounds arbitrary and unsustainable.

Issue No. 2 is decided in favour of the complainant.

    
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**Regarding Issue No. 3: Rejection of Commercial Connection  
(Ground Floor)**

The respondent has relied upon Clause 11(2)(iv) of DERC Supply Code regarding energy dues.

In the present case, no document has been placed on record showing, CA number; Outstanding amount; Period of dues; whether dues relate to same identifiable premises.

Further, rejection on the ground that the premise is "not a complete dwelling unit" is not a valid ground for refusal of a commercial/NX category connection unless prohibited under specific regulation. No such regulation has been cited.

Therefore, If no legally recoverable dues exist against the said premises, rejection cannot be sustained. If dues exist, the respondent is at liberty to communicate the exact amount with documentary proof and proceed in accordance with law.

Issue No. 3 is partly decided in favour of the complainant, subject to verification of dues.

**ORDER**

The complaint is allowed. Objection of OP regarding ESS space is hereby set aside as not applicable to the present premises, unless the respondent establishes by documentary proof that the plot exceeds 600 sq. meters or otherwise falls within Regulation 6 conditions. Therefore, OP is directed to release the new electricity connections applied for by the complainant.







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OP is further directed to file compliance report within 21 days of the action taken on this 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)

  
11/02/26  
(S.R. KHAN)  
MEMBER (TECH.)

  
11/2/26  
(P.K. SINGH)  
CHAIRMAN

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