

C A No. Applied For
Complaint No. 70/2026

In the matter of:

Sunil Kumar Tyagi

.....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. Suraj Aggarwal, Counsel for the complainant
2. Mr. R.S. Bisht, Mr. Gopal Pai, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 25th August, 2026

Date of Order: 27th 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. 8008203175 at premises no. plot no. 3, Main Sewa Dham Road, Mandoli, Delhi-110093, but application of the complainant for new electricity connection was rejected by OP on grounds of "Un-electrified area, Premises wiring incomplete/ unsafe, ESS space required, Premises with inadequate/ unsafe clearance from HT/ LT Lines".

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1 of 6

Complaint No. 70/2026

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection for a load of 2 KW (Non Domestic) at premises bearing no. plot no. 3, Main SewaDham Road, Mandoli, Delhi-110093 vide application no. 8008203175.

It is further submitted that as per the site inspection dated 05.03.2026, it was observed that the area is un-electrified, No electrical wiring was found to be installed at the site. The total area of the premises is approximately 2000 square yards so ESS space is required. That the internal site assessment confirms that the location forms part of a larger area exceeding 600 sq. meters, therefore, ESS space is required as per DERC Norms. It is also stated that the respondent also approached the competent government authorities for allocation of land for installation of electrical infrastructure.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that the subject premises are situated on the main road and the area is electrified and many electricity connections were sanctioned by the respondent in the area. Also there is a Distribution Transformer near the complainant's premises. That there is already an electricity connection sanctioned at the neighbour property which proves that it is technically feasible to sanction connection to complainant also. It is further stated that the area of the plot is only 150 sq. yds. And the complainant is not bound to provide ESS space according to DERC Regulations.

It is further submitted that this Hon'ble CGRF has previously given judgments in favour of the complainants in the matters of 371/2025 Shri Sushil Gupta vs BYPL and 446/2025 Shri Samiran Begum vs BYPL., therefore the complainant is also entitled to get new electricity connection at his applied premises.

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CGRF (BYPL)



2 of 6

Complaint No. 70/2026

4. During the course of arguments, both the parties were directed to conduct joint site visit. The joint site visit submitted by OP stated that the applied building is ground floor structure and applied for GF shop. Applied plotting has no other meter existing. There are four numbers of Dummy Poles existing in the plotting area. Total area of applied plotting is approx. 3200 sq. yards.
5. The complainant contented that his plot area is only 150 sq. yards and not 2000 sq. yards, therefore there is no need for ESS space. Complainant further submitted the existing transformer is just opposite his plot and there is no hurdle in getting the new electricity connection for his premise.
6. Arguments of both the parties are heard.
7. The Forum has carefully considered the pleadings, documents placed on record, the report of the joint site visit, and the submissions advanced by both parties. The principal issues requiring consideration are whether the respondent was justified in rejecting the complainant's application on the grounds recorded in the rejection and whether the complainant is entitled to release of the new electricity connection without compliance with the requirements pointed out by the respondent.

It is not disputed that the complainant applied for a new non-domestic electricity connection of 2 KW at Plot No. 3, Main Sewa Dham Road, Mandoli, Delhi-110093. The respondent rejected the application after site inspection, inter alia, on the grounds that the area was un-electrified, premises wiring was incomplete/unsafe, ESS space was required and there were inadequate/unsafe clearances from HT/LT lines.

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CGRF (BYPL)



3 of 6

Complaint No. 70/2026

8. During the proceedings, the Forum directed the parties to conduct a joint site visit. The report of the joint site visit assumes significance as it provides the latest factual position of the site. As per the said report, the applied structure is a ground-floor structure and the complainant has sought a connection for a ground-floor shop. It was also found that there was no existing electricity meter in the applied plotting and that four dummy poles were present in the plotting area. Most importantly, the total area of the applied plotting was assessed at approximately 3200 square yards.

The complainant has disputed the area mentioned in the joint site visit report and has asserted that his individual plot measures only 150 square yards. However, no sanctioned site plan, approved layout, registered subdivision plan, or other cogent documentary evidence has been produced before the Forum to establish that the area relevant for assessment of the electrical infrastructure requirement is restricted to 150 square yards. In contrast, the joint site visit conducted pursuant to the direction of the Forum records the total plotting area as approximately 3200 square yards.

The contention of the complainant that a Distribution Transformer is situated opposite his premises and that electricity connections have been sanctioned to neighbouring properties also does not, by itself, establish that the respondent is bound to release the connection sought by him.

The feasibility of an individual connection is required to be assessed with reference to the existing electrical infrastructure, safety requirements, wiring conditions, clearances and applicable norms. The mere existence of a transformer or an electricity connection at a neighbouring premise cannot dispense with such requirements.

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CGRF (BYPL)







4 of 6

Complaint No. 70/2026

The Forum also finds that the presence of four dummy poles and the absence of any existing meter in the applied plotting, as recorded in the joint site visit report, support the respondent's contention that the electrical infrastructure at the site requires assessment and necessary arrangements before release of the connection. The complainant has not produced any technical report from a competent authority demonstrating that the proposed connection can safely be released without complying with the requirements pointed out by the respondent.

The judgments relied upon by the complainant, namely Complaint Nos. 371/2025, *Shri Sushil Gupta vs. BYPL*, and 446/2025, *Shri Samiran Begum vs. BYPL*, do not advance his case in the present factual circumstances. The entitlement to a new electricity connection has to be examined on the basis of the facts and technical conditions existing at the particular premises. A decision rendered in another matter cannot be treated as an automatic direction to release a connection where the site conditions and technical requirements are different.

9. The Forum is also of the view that the respondent cannot be directed to overlook safety-related requirements, including safe premises wiring and adequate clearance from HT/LT lines. Such requirements are intended to ensure that electricity is supplied only when the premises and surrounding electrical infrastructure are technically and safely capable of receiving the connection.
10. In view of the foregoing discussion, the Forum finds that the respondent has furnished sufficient justification for withholding/rejecting the complainant's application bearing Request No. 8008203175 at the present stage. The complainant has failed to establish that the rejection was arbitrary or that the connection can be released without compliance with the technical and safety requirements pointed out by the respondent.

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CGRF (BYPL)

Complaint No. 70/2026

ORDER

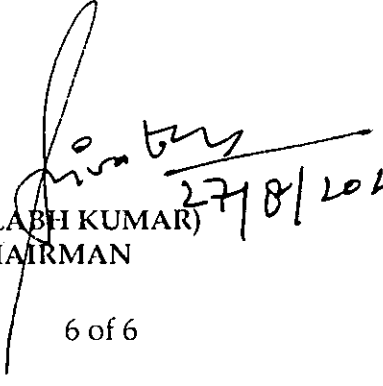
The complaint is found to be devoid of merit and is hereby dismissed. The dismissal, however, shall not preclude the complainant from approaching the respondent afresh after complying with the applicable safety requirements and ESS/infrastructure requirements, as may be determined by the respondent in accordance with the applicable DERC regulations and other prevailing norms. Upon such compliance, the respondent shall process the application in accordance with law.

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

6 of 6

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