



C A No. Applied for
Complaint No. 316/2025

In the matter of:

Abida 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. Aamish, Son of the complainant
2. Mr. Harshit Bhasin, Mr. R.S. Bisht, Mr. Akshat Aggarwal MR. Shiven Mishra & Ms. Jyoti Sharma, On behalf of BYPL

ORDER

Date of Hearing: 11th December, 2025

Date of Order: 16th December, 2025

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

1. The brief facts of the complaint are that the complainant applied for new electricity connection vide request no. ONPHG1807257304 (8007763561) at premises no. 9694-95, Gali Neem Wal, Nawab Ganj, Azad Market, Delhi-110055 which was rejected by OP on grounds of connection already exists at site and Architect Certificate required.

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2. The respondent in its reply submitted that the complainant is seeking new electricity connection under non-domestic category at premises no. 9696-B, Ground Floor, Ward no. XII, Gali Neem Wali, Nawab Ganj, Azad Market, Delhi vide application no. 8007763561. OP further submitted that the application of the complainant was rejected by BSES for the following grounds:
- a) Already a meter exists at site vide meter bearing no. 55164397.
 - b) As per MCD website, the property bearing no. 9694-95, Gali Neem Wali, Newab Ganj, Delhi-110006 has been booked by MCD for unauthorised construction on 01.07.2024 vide ID no. L-010920249227902 and file no. 143/uc/73/B-II/CSPZ/2024 dated 01.07.2024. Op further submitted that property no. 9695-9696 is conjoined together.
 - c) As per site visit report, the building height is ground+4 floors, therefore, Architect Certificate for height is required as applied connection is for non-domestic purpose.
3. Complainant in its rejoinder denied the preliminary objections of respondent as averred in their reply and submitted that the complainant earlier applied for name change of the existing connection having meter no. 55164397, which was rejected by OP on grounds of clerical mistake/system errors in respondent's record as address is showing 9696D rather than 9696-B. Thereafter, the complainant applied for new electricity connection which was also rejected by OP on grounds of MCD booking, requirement of Architect Certificate and connection already exists.
- The complainant further submitted in rejoinder that he is ready to surrender the existing connection.

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Regarding MCD objection, the complainant placed on record RTI reply from MCD which confirms that property bearing no. 9696-B, is not booked. Regarding Fire NOC or Architect Certificate, OP cannot lawfully insist on further conditions when MCD itself has certified the property status.

4. During the course of arguments both the parties were directed to conduct joint site visit showing complete building structure also mentioning exact height of the building.
5. By the way of site visit report, OP submitted that building structure is GF+4+mumty (Joint building as per common stairs for first floor). Height of the building without mumty is 16 meters(approx). Meter was found existing (Meter no. 55164397) in the applied premise (shop).
6. Arguments of both the parties are heard.
7. Regarding the, MCD objection, the recent Judgment of Hon'ble Delhi High Court vide no W.P. (c) 7618/2023 & CM appl. 29530/2023, CM Appl. 70837/2025 dated 13.11.2025 has held as under

"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.

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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.

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. Regarding building height objection, the OP has given height of the building approx 16 metres. OP filed height of the adjoining building which is having mumty on top. The portion where the complainant has applied for new connection under non-domestic category is having building height ground + three floors over it, which is well within 15 meters also there are multiple connections in the subject premises, therefore, we don't find any hurdle in releasing the new connection to the complainant.
9. Regarding surrender of existing meter, the complainant stated that he is ready to surrender the existing meter on the same day when OP would release the new electricity connection in her name.
10. Therefore, in view of the above, we are of considered opinion that the application of the complainant for new connection should be processed by OP.

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ORDER

The complaint is allowed. Respondent is directed to release the new electricity connection as applied for by the complainant vide request no. 8007763561 under Nx category at premises no. 9696-B, GF, Ward no. XII, Gali Neem Wali, Nawab Ganj, Azad Market, Delhi after completion of all the other commercial formalities as per DERC Regulations 2017.

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.

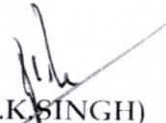
Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.



(P.K. AGRAWAL)
MEMBER (LEGAL)



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



(P.K. SINGH)
CHAIRMAN

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CGRF (BYPL)