

C A No. Applied For
Complaint No. 108/2026

In the matter of:

Abrar Ahmed Ansari

.....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, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 17th September, 2026

Date of Order: 21st September, 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. 8008317341 at premises no. plot no. A-2, Ground Floor, Milan Garden, Mandoli, Gali No.3, 25 Ft. Road, Near Sewa Dham, Delhi-110093, but application of the complainant for new electricity connection was rejected by OP on grounds of "Total area 2000 sq. yard, applied area is only 58 sq. yard, required ESS space".

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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new temporary Non-domestic electricity connection of 1 KW for construction purpose at premises bearing no. plot no. A-2, Ground Floor, Milan Garden, Mandoli, Gali No.3, 25 Ft. Road, Near Sewa Dham, Delhi-110093 vide application no. 8008317341.

It is further submitted that as per the site inspection report, it was observed that the applied area shown as approximately 58 sq. yards, but the site formed part of a much larger plotted development having a cumulative area of approx. 2000 sq. yards and ESS space is required. In order to verify the actual position at site, a detailed revisit was conducted on 08.05.2026, and the revisit report records that the applied connection pertains to a plot forming part of a larger parcel measuring approx. 2000 sq. yards.

Reply further stated that as per the neighbouring occupants, approx. 500 sq. yards are associated with one Naseem, a property dealer, whereas approx. 1500 sq. yards pertains to Surendra Kumar (MLA). That the subject land originally formed part of a nursery and the plotted development has emerged from the said larger parcel. It is further submitted that the apart from the above, the complainant has also failed to furnish satisfactory ownership documents. That the GPA submitted by the complainant is merely notarized and not registered and that does not establish ownership. The complainant has not produced any registered title document, sale deed, conveyance deed, or any other admissible ownership document. No back chain has been furnished and the complainant has failed to establish how the alleged executant derived title over the property. Section 84 of the Bharatiya Sakshya Adhiniyam, 2023, Rule 11 of the Notaries Rules, 1956 were quoted in support of the statement. Further specific part of judgments of Hon'ble High Court of Delhi in Brila DLW Ltd. Vs. Prem Engineering Works, 77 (1999) DLT 171 and Suraj Lamp & Industries Pvt. Ltd. Vs. State of Haryana & Ors. Also quoted.

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3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that the respondent can only demand documents that are stated in DERC Regulations and Chain of Title is not mentioned in the regulations. If the respondent argue that electricity connection should not be given on the basis of GPA, the respondent should approach the DERC to amend the rules. That the judgment of Suraj Lamps does not apply here because it is a matter of giving electricity connection on the basis of DERC Regulations not a ownership dispute. Rejoinder further submitted that the respondent has not submitted any DERC Regulation, Circular or Notification on the basis of which they cannot give new electricity connection because of a notarized only document. That Section 84 of the Bharatiya Sakshya Adhiniyam, 2023, Rule 11 of the Notaries Rules, 1956 and Brila DLW's judgment are related to Civil Court documentary evidence and does not apply here. Further the complainant's plot is only 58 sq. yards and below the prescribed area stated in Regulation 22 and the respondent has not submitted any layout Plan, Revenue Record, Municipal Record, Building Plan or any other proof which states that the complainant's plot is 2000 sq. yards. That the Hon'ble CGRF has ordered in the matters of Sushil Gupta Vs BYPL & Samiran Begum Vs BYPL that without any documentary proof the connection cannot be denied on the basis of an inspection report.
4. During the course of the argument, Counsel for the complainant filed Written argument. O.P filed site visit report which was conducted on 08.05.2026. 'O.P also filed site photographs and details of the existing connections in the area and also the load on the existing transformer.
5. Arguments of both the parties are heard.

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6. From the perusal of facts and materials placed before us, we find that the complainant has applied for new temporary electricity connection at premises no. plot no. A-2, Ground Floor, Milan Garden, Mandoli, Gali No.3, 25 Ft. Road, Near SewaDham, Delhi-110093 for the construction purpose and the application was rejected by O.P on the grounds of that the applied area is 58 sq. yards but actually the plot is a part of a larger portion of land with the total area of approx. 2000 sq. yards and that is why ESS Space is required. Also the complainant has submitted only a Notarized GPA did not submit any registered document which proves his ownership on the plot.
7. We have heard the arguments advanced by both parties and have carefully perused the complaint, reply, rejoinder, written arguments, site revisit report dated 08.05.2026, site photographs and the details of existing connections and load on the existing transformer placed on record.
8. The issue for determination² is whether the respondent was justified in rejecting the complainant's application for a temporary non-domestic electricity connection of 1 kW for construction purposes on the ground that the applied premises, measuring approximately 58 sq. yards, form part of a larger plotted development measuring approximately 2000 sq. yards, for which ESS space is required.

The respondent has submitted that the applied premises do not constitute an independent development for the purpose of assessing the requirement of ESS space, but form part of a larger parcel of land. In support of its contention, the respondent has relied upon the site inspection and revisit report, site photographs and other details placed on record.

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The complainant has contended that the area applied for is only 58 sq. yards and is below the prescribed area referred to in Regulation 22. It has further been argued that the respondent has not produced a layout plan, revenue record, municipal record or building plan establishing that the applied premises form part of a larger parcel measuring approximately 2000 sq. yards.

In the present case, the respondent conducted a detailed revisit on 08.05.2026 and placed the revisit report and site photographs on record. The material submitted by the respondent records that the applied premises form part of a larger plotted development having an approximate cumulative area of 2000 sq. yards. The respondent has also placed on record details of existing connections in the area and the load on the existing transformer.

9. We further find that the requirement of ESS space is connected with the provision of the necessary electrical infrastructure for the development. The respondent is required to ensure compliance with the applicable regulatory and technical requirements before granting a connection. The Forum cannot direct the respondent to disregard such a requirement where it is found to be applicable to the premises concerned.
10. Accordingly, we hold that the respondent was justified in rejecting the application on the ground of the ESS space requirement, subject to the applicable regulations and the factual assessment recorded above. In view of this finding, it is not necessary for the disposal of the present complaint to make any declaration regarding the complainant's ownership or title to the property. The issue of ownership is distinct from the question of compliance with the ESS requirement.

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11. In view of the foregoing discussion and findings, we find no merit in the complaint. The respondent's decision to reject the application on the ground of the requirement of ESS space does not warrant interference by this Forum.

Accordingly, the complaint is hereby dismissed, and the rejection of the complainant's application bearing Request No. 8008317341 for a temporary non-domestic electricity connection of 1 kW at Plot No. A-2, Ground Floor, Milan Garden, Mandoli, Gali No. 3, 25 Ft. Road, Near Sewa Dham, Delhi-110093, on the ground of the requirement of ESS space, is upheld.

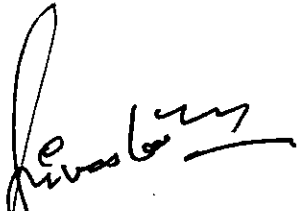
The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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) 09/09/26
MEMBER (TECH.)


(SHALABH KUMAR)
CHAIRMAN

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