

C G R F



B Y P L

Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma,

Shahdara, Delhi-110032

Phone: 32978140 Fax: 22384886

E-mail: cgrfbypl@hotmail.com

SECRETARY'S OFFICE

C A No. Applied For
Complaint No. 87/2026

In the matter of:

Ashok Arora

.....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, On behalf of BYPL

ORDER

Date of Hearing: 04th August, 2026

Date of Order: 10th 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. 8008084463 at premises no. plot no. A-11/2, Khasra No. 17/11A, Phase-II, Mandoli, Delhi-110093, but application of the complainant for new electricity connection was rejected by OP on grounds of "ESS Space Required".

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The complainant also stated that the said deficiency is not applicable in his case as he has applied a temporary connection of only 1KW for construction activity. According to provisions, ESS space is required only when the sanctioned load exceeds 100 kw/108 kva, total build-up area exceeds 2000 sq mtr or the plot size exceeds 600 sq. mtr. In his case the sanctioned load is 1kw and total area is 209.3 sq. meters only.

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new temporary non-domestic electricity connection at premises bearing plot no. A-11/2, Khasra No. 17/11A, Phase-II, Mandoli, Delhi-110093 vide application no. 8008084463.

It is further stated that the site inspection report dated 29.12.2025 recorded that the complainant had applied for temporary connection and the applied premises was found to be in the nature of vacant land/ under construction. That revisits were undertaken on 07.04.2026 and 24.04.2026 and the fact came into light is that the cumulative site assessment reflected the total plot area as approximately 1250 sq. yards and therefore ESS Space is required.

It is further submitted that the applied premises forms part of one single larger property enclosed within a common/single boundary wall and not separate independent plots. It is also stated that the complainant appears to rely upon a purported GPA as the basis of his claim. Upon bare perusal of the said GPA reveals serious legal infirmities, defects and inconsistencies. That the said GPA does not disclose any definite or complete date of execution and merely stated "this____ day of May 2025". Also the complainant has applied for electricity connection in respect of premises described as "P. No. A-11/2, Khasra No. 17/11A, Phase-II, Mandoli, Near New Mandoli Industrial Area, Delhi-110093", whereas the purported GPA describes the property as "Part of Plot/ Property No. A-11/2 and Part of Plot/Property No. A-12/1 out of Khasra No. 17/11". This difference clearly creates ambiguity and inconsistency regarding the identity, extent and ownership of the property.

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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 has not submitted any documentary proof to support their claim that the complainant's premises is a part of a larger land. That the area of the plot is less than 600 sq. meters, therefore, according to DERC Regulations, the rule of providing ESS Space does not imply on this case.

It is also stated that there is no mention in DERC Regulations, 2017 or Schedule of Charges and Procedure (Seventh Amendment) Order, 2023 that separate plots would be considered as joint land. That the respondent has failed to place on record any proof which states that separate plots will be considered as a single plot on the basis of common boundary or adjacent plot. That no proof is submitted which states that the cumulative area of the plot is 1250 sq. yards. That the Hon'ble forum had ordered in a similar matter vide C.G No. 446/2025.

4. Arguments of both the parties are heard.
5. During the course of arguments, regarding the suspicious GPA filed by the complainant, the OP submitted "The Notaries Rules, 1956, and the complainant was directed to produce complete property chain.
6. The complainant in its written arguments stated that OP has not filed any documentary record in support of their contention that the entire plot is a composite plot and having total area around 1250 sq. Meters. The complainant also filed copy of earlier order of the Forum in the matter of Samiran Begum, C.G. No. 446/2025.
7. The Forum has carefully considered the pleadings of the parties, the documents placed on record and the submissions advanced during the course of hearing.

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8. The grievance of the complainant arises from rejection of his application for grant of a temporary electricity connection bearing Request No. 8008084463 at Plot No. A-11/2, Khasra No. 17/11A, Phase-II, Mandoli, Delhi-110093 on the ground of "ESS Space Required."

The complainant has contended that the applied load is only 1 KW for construction purposes and the area of the applied plot is 209.3 square metres, which, according to him, does not attract the requirement of earmarking ESS space under the applicable DERC Regulations.

The respondent, however, has submitted that the site inspection conducted on 29.12.2025 and subsequent revisits on 07.04.2026 and 24.04.2026 revealed that the applied premises is not an independent plot but forms part of a larger property enclosed within a common boundary wall having a cumulative area of approximately 1250 square yards. According to the respondent, the requirement of ESS space is therefore attracted. The respondent has further pointed out material discrepancies in the General Power of Attorney relied upon by the complainant. The GPA neither bears a complete date of execution nor consistently describes the property for which the electricity connection has been sought. During the course of arguments, the complainant was directed to produce the complete chain of title documents; however, no satisfactory documentary evidence was produced to remove the ambiguity regarding the identity and extent of the property.

The Forum is of the considered opinion that before directing release of an electricity connection, it must be satisfied regarding the identity of the premises and compliance with the applicable provisions of the DERC Regulations. The inconsistencies in the property documents relied upon by the complainant, coupled with the respondent's inspection reports indicating that the premises forms part of a larger composite property, create sufficient doubt regarding the exact nature and extent of the premises for which the connection has been sought.

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The reliance placed by the complainant upon the order passed by this Forum in C.G. No. 446/2025 (Samiran Begum) is of no assistance since every case is to be decided on its own facts and the factual matrix of the present matter, particularly with regard to the inspection findings and discrepancies in the property documents, is distinguishable.

The Forum finds no arbitrariness or illegality in the respondent's action in insisting upon compliance with the applicable regulatory requirements before release of the electricity connection. In the facts and circumstances of the present case, the respondent was justified in rejecting the complainant's application pending satisfactory compliance with the requirements relating to ESS space and clarification of the property particulars.

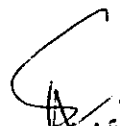
ORDER

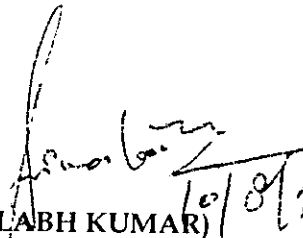
In view of the foregoing discussion, the Forum finds no merit in the complaint. The action of the respondent in rejecting the complainant's application for grant of temporary electricity connection bearing Request No. 8008084463 cannot be faulted. Accordingly, the complaint is **dismissed**.

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.

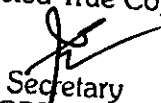

(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(SHALABH KUMAR)
CHAIRMAN

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