



C A No. Applied for
Complaint No. 161/2025

In the matter of:

Deepak Kumar

.....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)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. I U H Siddiqi, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 25th September, 2025

Date of Order: 09th October, 2025

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

1. The brief facts of the grievance are that the complainant applied for new electricity connections vide request no. 807497860, 8007497872, 8007497898, 8007497882 and 8007497928 at premises no. 11/408-A, Gali no. 11, Lalita Park, Laxmi Nagar, Delhi-110092, the application of the complainant for new connections were rejected on the grounds of "MRO required 35965194, dispute BP 0910373557, parking undertaking required (no further connection in parking and illegal pole shifting at applied property and pending police enquiry for the same.

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CGRF (BYPL)

Complaint No. 161/2025

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connections at different floors of premises no. 11/408-A, gali no. 11, Lalita Park, Laxmi Nagar, Delhi-110092 vide application no. 807497860, 8007497872, 8007497898, 8007497882 and 8007497928. Reply further stated that the applications of the complainant for new connections were rejected on following grounds:

- A) Applied structure is parking + first floor + second floor + third floor + fourth floor has two existing connections at site vide CA no. 100972009 in the name of Dauji energized in 19.03.2011 and CA no. 10890781 in the name of Raj Rani energized on 01.1.1990.
- B) The complainant has illegally shifted the pole and even prior to this accessibility notice has been issued to the complainant.
- C) MRO of meter bearing no. 35965194 which is temporary meter and its removal is mandated.
- D) No title documents filed by the complainant, hence barred by Regulation 10 of DERC Supply Code 2017.

3. The counsel for the complainant in its rejoinder submitted that OP's objections for not releasing the new electricity connections are false and baseless. It is also submitted that the complainant is ready to surrender the temporary connection once the regular energy connections are released by OP. He also submitted that the building of the complainant is already having electricity connection vide CA no. 100972009. The complainant further stated that network and the supply of electricity is through insulated wires. Regarding pole shifting objection of OP, the complainant submitted that there is sufficient space between the pole and his premises and shifting of pole is impossible without taking shut down/power off from the system of OP.

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Complaint No. 161/2025

4. During the course of arguments, the counsel for the complainant submitted ownership documents and MRO. Copies of both the documents were provided to OP. On final hearing, counsel for the complainant submitted floor wise details of the connections and submitted that applications of first floor and second floor vide application no. 8007497860 and 8007497872 are not pressed. The application of the complainant was taken on record.
5. Arguments of both the parties are heard.
6. From the narration of facts and material placed before us we find that the applications of the complainant for new electricity connections were rejected by OP on the grounds of pole shifting/encroachment. The photographs placed on record by the complainant shows that the pole in front of the premise of the complainant is tilted and not encroached/shifted. Moreover, the electricity pole is catering supply to multiple connections in the area and the complainant's premises also have a connection from the pole in question.
- Although the distance between the pole and premise of the complainant is not mentioned by either of the party but since the pole is catering supply to the premises of the complainant and other premises also.
7. The factual position of the case is that the pole is adjacent to building where the respondent has already given connection from the same pole and complainant's required connections are for the third floor right side and left side and fourth floor right side and left side. Even as per law as mentioned in Regulation 60 (3) of CEA Regulation 2010 if the distance is less than 1.2 meter, connection can be given if it is adequately insulated. There is no dispute regarding the fact that the supply of electricity is totally insulated wire. Hence, on this very ground complainant cannot be deprived of the electricity connection.

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Complaint No. 161/2025

8. Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.
9. We are of the view that the respondent may be directed to provide the connection.

ORDER

The complaint is allowed. Respondent is directed to release the connections applied by complainant after completion of all the commercial formalities and after giving the undertaking regarding the fact that he will be responsible for any mis-happening due to improper clearance from the pole.

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.

(H.S.SOHAL)

MEMBER

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Secretary
CGRF (BYPL)

(P.K. AGRAWAL)

MEMBER (LEGAL)

(S.R. KHAN)

MEMBER (TECH.)

(P.K.SINGH)

CHAIRMAN