

**C A No. Applied For**  
**Complaint No. 54/2026**

**In the matter of:**

Hari Ram Gupta .....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. Shubhankar Gupta, Representative 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: 09<sup>th</sup> June, 2026  
Date of Order: 11<sup>th</sup> June, 2026

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

1. The brief facts of the grievance are that the complainant has applied for new electricity connections vide request no. 8008070478 and 8008070375 at premises bearing H. No. 21, Madhuban, Delhi-110092, but applications of the complainant for new electricity connections were rejected by OP on grounds of "Connection already Exists-11627308, Ground Floor, Second Floor are duplex and Mismatch between applied address and existing meter bill address 17015280 Ground Floor + First Floor + Second Floor are duplex, Two DX Unit and two meter already exists".

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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new Domestic electricity connections at premises bearing H. No. H. No. 21, Madhuban, Delhi-110092 vide application no. 8008070478 and 8008070375.

It is further submitted that the site inspection categorically records that the building structure at the subject premises comprises multiple floors, namely basement, ground floor, first floor, second floor, third floor and that the ground floor, first floor and second floor are internally connected and form a duplex unit. Therefore, the second floor is not an independent dwelling unit. It is further stated that three meters already existed at premises vide meter numbers 17176670, 17015280 and 11627308. The respondent raised a deficiency which is clearly stating that the connection cannot be released as "connection already exists" vide meter No. 11627308 and that no separate dwelling unit exists at the applied premises.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. Rejoinder further stated that the Respondent has mis-read Regulation 10(1) (vi) of the Supply Code. The said sub-clause is a permissive enabling clause that grants a second connection where a dwelling unit is sub-divided with a separate kitchen and a separate entry- it does not prohibit the grant of a connection. Complainant stated the public notice issued by the DERC, published in the Times of India and other newspapers on 01.04.2026, which states:-

- a. No pre-connection inspection is to be conducted by the DISCOM at the applicant's premises;
- b. No upfront payment may be demanded from the applicant at the time of application;

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- c. A self-declaration of internal-wiring testing by the Licenced Electrical Contractor is sufficient and no further verification by DISCOM officers is to be insisted upon as a pre-condition for the new connection; and
- d. Charges are to be levied strictly in accordance with the DERC Schedule of Charges Order.


Complainant also stated Section 176 of the Electricity Act, 2003 in support of the argument.


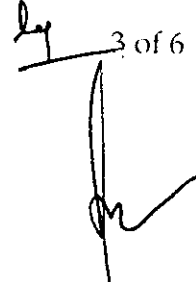
It is further submitted that each floor comprises Separate Kitchens, independent IGL Gas pipelines, and separate entries/ exists via an external staircase. However, it is stated in the rejoinder that the floors are also connected by a secondary internal staircase; however, the test under Regulation 10(1)(vi) of the Supply Code is the availability of a "separate entry" --- not the absence of every internal connection between floors. Each floor is capable of being occupied as a self contained dwelling unit through the external staircase alone, and that suffices for the rule.

It is further stated that there are three legal Co-owners under a single registered sale deed. That the property in question is owned by three distinct persons:- Sh. Mukesh Gupta occupies the First Floor, Mr. Hari Ram Gupta (The Complainant) occupies the Second Floor and the remaining portion of the premises is occupied by Sh. Rajeev Gupta. Such floor-wise mutual partition among co-owners is recognized, in settled property-law principle. Also no electricity supply sanctioned for second Floor.

- 4. During the course of arguments both the parties were directed to conduct joint site visit and the complainant was directed to produce sanctioned site Plan.

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5. The site visit report submitted by the OP stated that applicant refused for site visit of second floor. At the time of Joint visit, same status found as per previous report. Applicant only show third floor and complete Ground Floor, first floor, second floor and third floor are interconnected. One without floor meter already exists and one first floor domestic meter also exists in the building.
6. As per the directions of the Forum, the complainant filed the approved site plan. From the perusal of the site plan it is clearly evident that the property constructed by the complainant has deviation from the sanctioned plan.
7. Arguments of both the parties are heard.
8. The Forum has carefully considered the pleadings, documents placed on record, site inspection reports, sanctioned site plan and submissions made by both parties.

It is an admitted position that the complainant has applied for new electricity connections vide request nos. 8008070478 and 8008070375 at premises bearing H. No. 21, Madhuban, Delhi-110092. The respondent rejected the applications on the ground that electricity connections already exist in the premises and that the applied portions do not constitute separate and independent dwelling units.

The complainant has contended that each floor is separately occupied, has a separate kitchen, separate entry through an external staircase and is capable of independent use. However, the respondent has consistently maintained that the Ground Floor, First Floor, Second Floor and Third Floor are internally connected and form part of an integrated residential unit.

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9. During the proceedings, the Forum directed the parties to undertake a joint site inspection and also directed the complainant to produce the sanctioned building plan. As per the joint inspection report submitted by the respondent, the applicant did not permit inspection of the entire second floor and the inspection team found that the Ground Floor, First Floor, Second Floor and Third Floor were interconnected. Existing electricity connections were also found installed in the building.


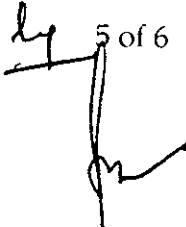
The sanctioned site plan produced by the complainant has been examined by the Forum. From the perusal of the sanctioned plan and the inspection reports available on record, it is evident that the existing construction at the premises is not in conformity with the sanctioned building plan and deviations from the approved plan exist.

10. The Forum is of the view that determination of unauthorized construction, deviations from sanctioned building plans and questions relating to legality of building structure fall within the jurisdiction of the concerned municipal and statutory authorities and not within the jurisdiction of this Forum. However, the existence of substantial deviations and the findings recorded during inspection create doubt regarding the independent status of the applied premises for which separate electricity connections have been sought.

11. The complainant has failed to establish, through satisfactory evidence, that the portions for which new electricity connections have been applied constitute separate and independent dwelling units distinct from the portions already enjoying electricity supply. The inspection reports on record indicate internal connectivity between floors and the existence of electricity connections serving the premises.

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12. In view of the above facts and circumstances, the Forum finds no infirmity in the action of the respondent in raising objections and declining release of the new electricity connections on the basis of the material available on record.


ORDER

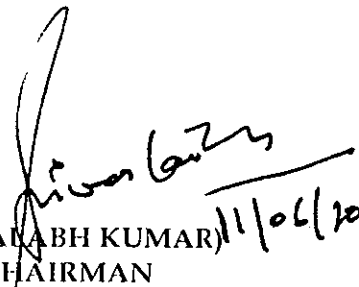
The complaint is dismissed. The complainant shall, however, be at liberty to approach the respondent afresh with appropriate documents and after obtaining necessary approvals/clarifications from the competent authorities regarding the status of the premises, if so advised.

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.

  
11/6/26  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

  
11/6/26  
(S.R. KHAN)  
MEMBER (TECH.)

  
11/06/2026  
(SHAIKABH KUMAR)  
CHAIRMAN

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