

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

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SECY.CIN.015.08/88

C A No. Applied For Complaint No. 146/2026

In the matter of:

Munesh Kumari

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Agrawal, Member (Legal)
2. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Nishikant Ray, Counsel for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 15th September, 2026

Date of Order: 21st September, 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 connection vide request no. 8008333586 at premises no. 30/149, Ground Floor, Block Extra 30, Trilokpuri, Delhi-110091, but application of the complainant for new electricity connection was rejected by OP on grounds of "BYPL Pole found encroached & Enforcement! Dues of CA No. 400977990".

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Secretary
CGRF (BYPL)

Complaint No. 146/2026

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection of 1 KW load at premises bearing no. 30/149, Ground Floor, Block Extra 30, Trilokpuri, Delhi-110091 vide application no. 8008333586.

It is further submitted that the complainant submitted relinquishment deed including a General Power of Attorney in support of the claim over the applied premises and no Registered Sale Deed, Conveyance Deed, Mutation Record or complete chain of title documents has been placed on record to establish lawful ownership over the subject premises.

Reply further submitted that during the site inspection, it was observed that the building structure is G+2 and there is one electricity connection installed in the same building. It was further observed that the supporting pole (Stud Pole) has been completely encroached upon by the applicant, while the main electricity pole is touching the outer wall of the premises and the electricity pole is being utilized as a supporting structure for balcony. Also unauthorized projections, balconies, chajjas and structural extensions have been constructed around the electricity pole, thereby violating mandatory horizontal and vertical clearance required.

It is further stated that the respondent also found that Enforcement Dues pertaining to Enforcement CA No. 400977990 of Rs. 14,061/- were outstanding against the subject premises. That the direct assessment was raised against Mukesh & Munesh in respect of the same premises.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that the BYPL main pole & cable is far from the building of the applicant according to DERC Guidelines. One pole is standing for supporting main pole which is under boundary of the applicant's building. The supporting pole or main pole are not connected to other electric items. That the complainant is ready to deposit enforcement dues by settle in the Hon'ble Competent Authority.

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During the course of the argument O.P filed site visit report of 2018 for the connection which was applied by Mukesh Kumar. Counsel for the complainant agreed to pay the enforcement dues.

4. Arguments of both the parties are heard.
5. Upon consideration of the submissions made by both the parties and the material placed on record, we find that the respondent has raised a specific objection regarding the encroachment of the supporting pole (Stud Pole) by the complainant. It has further been submitted that the main electricity pole is touching the outer wall of the premises and is being utilized as a supporting structure for the balcony. The respondent has also pointed out the existence of unauthorized projections, balconies, chajjas and structural extensions around the electricity pole, allegedly affecting the mandatory horizontal and vertical safety clearances.
6. The complainant has disputed the aforesaid allegations and submitted that the main electricity pole and cable are situated at a sufficient distance from the building. However, the complainant's submissions do not, by themselves, establish that the supporting pole is free from encroachment or that the requisite safety clearances are being maintained. The site inspection report and the objections raised by the respondent have been taken into consideration.
7. We are of the view that the issue of encroachment of electricity infrastructure and maintenance of the prescribed safety clearances cannot be overlooked while considering an application for a new electricity connection. In the present matter, the encroachment of the supporting pole and the alleged obstruction to the requisite clearances constitute sufficient grounds, on the material presently available on record, to decline the release of the connection at the subject premises.

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Secretary
CGRF (BYPL)

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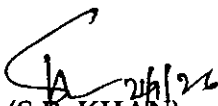
Complaint No. 146/2026

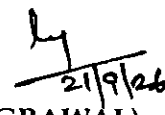
We also take note of the outstanding enforcement dues of Rs. 14,061/- pertaining to Enforcement CA No. 400977990. The complainant has expressed willingness to deposit the said dues after settlement before the competent authority. However, such willingness does not remove the independent objection relating to encroachment of the electricity pole and compliance with the requisite safety clearances.

8. In view of the foregoing discussion, we find no ground to interfere with the respondent's decision to reject the application for a new electricity connection bearing request No. 8008333586 at premises No. 30/149, Ground Floor, Block Extra 30, Trilokpuri, Delhi-110091, on account of the encroachment of the supporting pole and the safety-clearance concerns recorded by the respondent.
9. Accordingly, the complaint is dismissed. The complainant shall, however, be at liberty to approach the respondent afresh after removal of the encroachment and rectification of the deficiencies relating to the electricity pole and requisite safety clearances, subject to compliance with the applicable rules and regulations and settlement of the outstanding dues, wherever required.

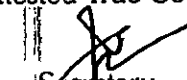
If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

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


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


(P.K. AGRAWAL)
MEMBER (LEGAL)

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CGRF (BYPL)