

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 20
Sub-Station Building BSES (YPL) Regd. Office Karkardoon
Shahdara, Delhi-1100
Phone: 32978140 Fax: 223848
E-mail: cgrfbypl@hotmail.co
SECRETARY

C A No. Applied For
Complaint No. 129/2026

In the matter of:

Priya Kumari & Pyare Lal

.....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. Nishikant Ray, 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: 10th September, 2026

Date of Order: 15th September, 2026

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

1. The brief facts of the grievance are that the complainants have applied for new electricity connections vide request no. 8008361308, 8008359769 at premises no. 34/341, Third Floor & Fourth Floor, Block-34, Trilokpuri, Delhi-110091, but application of the complainant for new electricity connection was rejected by OP on grounds of "Dispute BP-0909973982, AB cable encroached, Enforcement Dues-401715052".

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CGRF (BYPL)

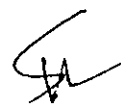
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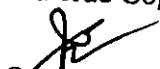
The complainant also stated that no Enforcement Dues are pending and no ownership dispute/case is pending before any court/Forum, no high tension cable is crossing/beside in her building, the LT cable is crossing besides their building.

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection of 1 KWA each at premises bearing no. 34/341, Third Floor & Fourth Floor, Block-34, Trilokpuri, Delhi-110091 vide application nos. 8008361308 & 8008359769.

It is further submitted that during the inspection of the applied premises, it was observed that the premises suffers from serious safety violations inasmuch as the existing LT AB Cable was found passing through the extended balcony of the newly constructed building, resulting in inadequate statutory safety clearance from the electrical network. The respondent's records further reveals that a disputed BP relating to LT AB cable encroachment had already been generated in 2023, clearly shows that the electrical infrastructure was existing prior to the subsequent construction. It was further observed that 2 electricity poles are touching the newly constructed building. It is further submitted that there are already three electricity connections existing I the building, namely Meter Nos. 11584158, 35449333 and 35449332, the existence of such connections does not dilute or override the Respondent's statutory obligation to ensure prevailing safety regulations. It is further stated that enforcement dues were inadvertently reflected in the deficiency communication. However, it was found that the said enforcement dues pertain to an independent electricity connection installed on 2nd Floor and do not pertain to the present applicants or the applied premises.

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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 released new electricity connections in the above said building but rejected the applications of the complainants.

It is further submitted that the applied building is very old and is constructed from ground to second floor and new constructed floors are 3rd and 4th floor. Ground to second floor already have electricity connections.

4. During the course of the arguments, counsel for the complainant submitted previous order of this Forum in the matter of Parvati Vs BYPL, C.G. No. 548/2024. OP stated that the said order of the Forum was challenged before the Hon'ble High Court of Delhi and the matter is pending for adjudication before the Hon'ble High Court of Delhi and next date of hearing in the matter is 30.09.2026.

OP further added that they have also issued Accessibility notice to the occupants of the other connection holders in the subject premises. OP also submitted copy of a letter dated 09.09.2025 to SDM, seeking orders for removal of encroachment over Electricity Pole/Electrical Network belonging to the Licensee Company.

5. Arguments of both the parties are heard.

6. The principal issue for consideration is whether the respondent can be directed to release new electricity connections at the applied premises despite the alleged encroachment upon and inadequate safety clearance from the existing electrical infrastructure.

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7. From the submissions and material placed on record, it is evident that the Third and Fourth Floors of the subject building are newly constructed. The respondent has specifically stated that the existing LT AB Cable is passing through the extended balcony of the newly constructed portion of the building and that two electricity poles are touching the newly constructed building.

The respondent has further placed reliance upon its records showing that a disputed BP concerning encroachment of the LT AB Cable was generated in the year 2023. The material on record also indicates that the respondent has taken steps for addressing the alleged encroachment by issuing accessibility notices to other occupants/connection holders and by writing to the concerned SDM on 09.09.2025 for appropriate orders regarding removal of encroachment over the electrical infrastructure.

The fact that electricity connections already exist on the Ground Floor, First Floor and Second Floor of the building cannot, by itself, create a right in favour of the complainants to obtain additional electricity connections without compliance with the applicable safety requirements. The respondent, as a distribution licensee, is under an obligation to ensure that electricity is supplied and new connections are released in accordance with the applicable safety norms and regulations.

It is true that the enforcement dues were inadvertently mentioned in the deficiency communication and that the respondent has clarified that such dues pertain to an independent connection on the Second Floor. However, the incorrect inclusion of enforcement dues as one of the grounds in the deficiency communication does not, in the facts and circumstances of the present case negate the other independent grounds relating to safety violations and encroachment of the existing electrical infrastructure.

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The complainants have relied upon the order passed by this Forum in **Parvati Vs. BYPL, C.G. No. 548/2024**. However, the OP has submitted that the said order has been challenged before the Hon'ble High Court of Delhi and the matter is presently pending adjudication, with the next date of hearing stated to be 30.09.2026. Further, every case is required to be considered on the basis of its own facts and circumstances. -

8. This Forum is of the considered view that the respondent cannot be directed to release new electricity connections in a situation where serious issues concerning electrical safety and encroachment upon the existing electrical network remain unresolved. The supply of electricity cannot be directed in a manner that may compromise public safety, the safety of the occupants, or the integrity of the existing electrical infrastructure.

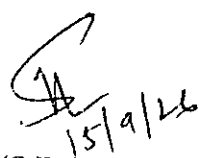
ORDER

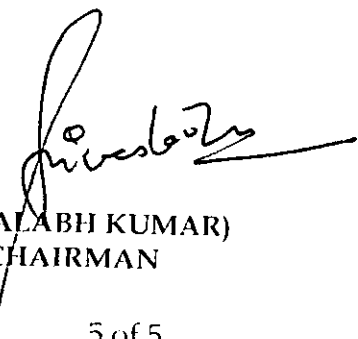
The complaint is dismissed. OP has rightly rejected the applications for new electricity connections vide request no. 8008361308 & 8008359769 at premises no. 34/341, Third Floor & Fourth Floor, Block-34, Trilokpuri, Delhi-110091.

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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