

**OFFICE OF ELECTRICITY OMBUDSMAN**

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

**B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057**

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**Appeal No. 08/2026**

(Against the CGRF-BYPL's order dated 04.02.2026 & Corrigendum dated 23.02.2026 passed in Complaint No.444/2025)

**IN THE MATTER OF**

**Smt. Narayani Devi**

**Vs.**

**BSES Yamuna Power Limited**

**Present:**

**Appellant:** Shri Dharam Pal Solanki alongwith son, Shri Manish Solanki, on behalf of the Appellant.

**Respondent:** Shri Ravinder Singh Bisht, DGM (Legal), Shri Abhishek Tyagi, Manager, Ms Monika Sharma, Legal Retainer, Shri Ashok Kumar & Shri Rahul Saini, advocates, on behalf of the BYPL

**Date of Hearing:** 10.06.2026

**Date of Order:** 12.06.2026

**ORDER**

1. Appeal No.08/2026 has been filed by Smt. Narayani Devi, W/o Shri Dharam Pal Solanki, R/o House No. 21-B/1, Khasra No.126/2, Near Ram Chander Market, Rajpur Extension, New Delhi - 110068, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 04.02.2026 and Corrigendum dated 23.02.2026 (to ignore para 4 of the Order dated 04.02.2026) passed in Complaint No.444/2025.

2. The background of the case presented before the Forum by the Appellant is that she had applied for a new electricity connection (domestic category) at the ground floor of the aforementioned premises. Her request was rejected by the Respondent on the ground of "Building under HT line". She had requested for release of applied connection.



3. The Discom, in its written submission before the Forum, contended that the domestic connection request (No. 8007717605) was rejected because applied building was under HT line; hence, inadequate and unsafe clearance from HT/LT lines violates CEA safety norms. This deficiency was duly communicated to her through letter dated 11.07.2025. A subsequent site visit with photographs confirmed that the structure of building is old and a 220 kV HT line is passing over the premises, maintaining a horizontal distance of zero meter and a vertical distance of approximately 5 meters. However, the Respondent requested to implead Delhi Transco Limited (DTL) as a necessary party for proper adjudication in the instant matter. Additionally, an old meter (CA No. 101109143) at the premises was disconnected in 2009 but its old billing records are not traceable. Ultimately, the Respondent found the application non-compliant with the DERC Supply Code, 2017, and Regulation 63 of the CEA (Measures relating to Safety and Electric Supply) Regulations, 2023. Hence, Respondent is not in a position to release the connection due to safety norms. Further, as per request of the Appellant, a joint site visit of nearby meters in the area with photographs was conducted on 30.01.2026 by the Respondent, which revealed that all eleven existing meters in the area were old and no new connections had been granted to any building under the EHV line in the area.

4. The Appellant, in her rejoinder, argued that as the premises previously had an active electricity connection (CA No. 101109143 in the name of her husband, Shri Dharam Pal Solanki), the Respondent cannot now take a contradictory claim that the building is unsafe for the electricity supply. She stated that disconnection in 2009 does not cancel her right to obtain a new connection for her continuously occupied premises. She further contended that the Respondent wrongly applied Regulation 63 of the CEA Regulations, 2023 in the instant matter, without considering the fact that the structure of building is old that existed before the high-tension (HT) line was installed.

Additionally, the Appellant pointed out that the DERC Supply Code, 2017 does not permit an outright rejection without exploring safety solutions like rerouting, insulation, elevation of lines or conditional release of supply. She challenged the Respondent's site measurements for lacking a certified report. Denying her electricity connection while her neighbours in the vicinity enjoy electricity under the same circumstances is discriminatory, violating Article 14 of the Constitution of India. Appellant relied upon various Supreme Court and High Court rulings in support of her contention. She additionally prayed for directing the Respondent to coordinate



with DTL for corrective measures and to award compensation for undue harassment caused to her.

5. The Forum, in its order dated 04.02.2026, endorsed the rejection of the application for new domestic electricity connection due to severe safety hazards under Regulation 63 of the CEA (Measures Relating to Safety and Electric Supply) Regulations, 2023. A technical report and site photographs confirmed that the property is located directly low 220 KV HT transmission line. The report revealed a hazardous horizontal clearance of zero meter and a vertical clearance of approximately five meters. Consequently, the requested electricity connection cannot be released due to these critical safety violations.

6. Being dissatisfied by the above-said order, the Appellant has preferred this appeal. She has reiterated her stand as previously stated before the Forum. She contended that electricity is a statutory right under Section 43 of the Electricity Act, 2003, the prolonged denial of such a basic necessity undermines the principles of fairness and equity. Moreover, she argued based on the grounds, (i) The Respondent deliberately misrepresented survey reports; (ii) The distance measurement contains factual and technical errors; (iii) The denial of applied connection constitutes discriminatory treatment, violating Article 14 of the Constitution of India as 13 connections were granted to other individuals selectively in the same situation in contravention of established safety norms. Relevant bills were also placed on record; (iv) A prior electricity connection establishes existing safety compliance; (v) The operation and maintenance department recommended the connection based on parity with neighbouring houses but she was refused deliberately; (vi) The connection requires no additional infrastructure; (vii) The lack of electricity causes severe hardship to senior citizens despite the fact that electricity is essential service; (viii) Ongoing service to similarly situated neighbours establishes a legitimate expectation of equal treatment. CGRF overlooked that numerous electricity connections were granted to other individuals in the vicinity during 2006, 2009, 2015, 2017, and 2019

The Appellant has prayed the following:

- (a) Immediate grant the connection either by energizing the fresh application no.8007717605 or by restoring the previous connection vide CA No. 101109143 within a strictly stipulated period of 15 days, in the interest of justice, equity, and humanitarian consideration.



(b) Set aside the impugned order dated 04.02.2026.

(c) To award compensation for undue harassment caused to her.

(d) To pass any such other order(s) as this Office may deem fit and proper.

7. The Respondent, in its written submission to the appeal, reiterated the facts as placed before the CGRF-BYPL. The Respondent refuted all the allegations and arguments put forth by the Appellant in the appeal. Respondent asserted that the joint survey reports are consistently established that a 220 KV HT line is passing directly over the premises. The existence of other connections, if any, does not negate the safety violation of the Appellant's premises. Even visual inspection and photographs clearly show no horizontal clearance. Concerning the violation of Article 14 of the Constitution of India, Respondent further asserted that each application is evaluated based on existing safety conditions and not on past actions. Moreover, admittedly the prior connection disconnected in 2009 does not confer any legal right. No vested right could be claimed against statutory safety requirements. In the instant matter, the issue is safety clearance from HT line rather than infrastructure availability. Even if, infrastructure exists, electricity connection cannot be granted in violation of safety norms. Respondent is bound by law and safety regulations which cannot be relaxed on humanitarian grounds. Public safety must prevail over individual hardship. The Appellant cannot seek parity in alleged irregularities. Moreover, rejoinder submitted by the Appellant was also taken on record.

8. The appeal was admitted and fixed for hearing on 10.06.2026. During the hearing, both parties were represented by their authorized representative/advocates. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman, Secretary & Advisor Engineering, to elicit more information on the issue.

9. During the hearing, the Authorized Representative (AR) representing the Appellant reiterated the claims, arguments, and requests made in the appeal and rejoinder. Shri Dharam Pal, spouse of the Appellant, stated that the height of her house is approximately 19 feet. He disputed the Respondent's claim of zero meter horizontal clearance and submitted that the line passes at some distance from the building rather than directly under the HT line. In support, he displayed some videos of the premises during the hearing and explained the factual position regarding the location of the house. AR further argued that if electricity connections have already



been granted to other premises situated in the vicinity of the same HT Line, similar treatment should be extended to the Appellant.

10. In rebuttal, the Advocate for the Respondent reiterated the arguments made in the written submission to the appeal. In response to a query by the Ombudsman as to whether there exists any statutory provision permitting construction of buildings beneath a 220 KV transmission line, Respondent could not submit convincing response. The Respondent maintained that the position of the premises is unsafe from the electrical safety point of view and that the application was rightly declined due to the presence of the 220 KV HT Line and non-compliance with the safety clearance requirements prescribed under the applicable regulations.

11. During the hearing, the Advisor (Engineering) explained that a number of electricity connections were released in earlier years. However, the existence of such connections cannot override the safety requirements prescribed under the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2023, and each case is required to be examined on the basis of the prevailing safety norms.

12. During the hearing, the Ombudsman emphasized that as per the guidelines and right of way requirements applicable to transmission lines maintained by DTL, construction beneath such transmission lines is not advisable from the safety perspective. It was also noted that in such case of line snapping, sagging, repair or maintenance activities, adequate clearance and safety corridor is required to be maintained.

13. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

- (a) The joint site report, which is duly signed by both parties, clearly shows that a 220 KV line passes in close proximity to the applied premises and crosses a portion of it, meaning the premises is not covered under the safe zone.
- (b) Regulation 63 of CEA Safety Regulations, 2023, which governs clearances from buildings for lines of voltage exceeding 650 V, is directly applicable in this matter.




- (c) Regulation 11(2)(iv) of the DERC Supply Code, 2017, clearly stipulates that the energization would not be in violation of any provision of the Act, Electricity Rules, Regulations or any other requirement, if so, specified or prescribed by the Commission or Authority under any of their Regulations or Orders.
- (d) Concerning the connections granted to others, the Delhi High Court, in its order dated 06.02.2020 in the case of Ms. Azra vs. The State (G.N.C.T. of Delhi) and Ors., determines that a connection cannot be granted based on negative parity.

14. In the light of the above, this court directs as under:

- (i) The order dated 04.02.2026 of the CGRF-BYPL is upheld.
- (ii) All the 13 connections (CA Nos.101099347, 101146037, 151304503, 152096716, 101145932, 151349748, 152134077, 152134078, 151585182, 101102451, 122238008, 152878130, 152878128) mentioned in appeal need review by the Respondent in view of the safety of lives and properties urgently.
- (iii) Action taken report be shared to this office within 30 days.

15. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.

  
(P. K. Bhardwaj)  
Electricity Ombudsman  
12.06.2026