

OFFICE OF ELECTRICITY OMBUDSMAN

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

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Appeal No. 28/2026

(Against the CGRF-BYPL's order dated 26.05.2026 in Complaint No.228/2025)

IN THE MATTER OF

Smt. Leela Rani Garg

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri Vinod Kumar, Advocate on behalf of the Appellant.

Respondent: Shri Ravinder Singh Bisht, DGM (Legal), Shri Gopal Pai, Sr. DGM, Shri Nishant Chauhan, Sr. Manager, Ms. Monika Sharma, Legal Retainer and Shri Ashok Kumar, Advocate, on behalf of BYPL.

Date of Hearing: 21.09.2026

Date of Order: 23.09.2026

Order

1. Appeal No.28/2026 dated 04.07.2026 has been filed by Smt. Leela Rani Garg, R/o H.No.D-1/576-C, Plot No.1, Gali No.1, Harsh Vihar, Shahdara, Delhi - 110093, through Advocate, Shri Vinod Kumar, against the Consumer Grievance Redressal Forum – BSES Yamua Power Limited (CGRF-BYPL)'s order dated 26.05.2026 passed in complaint No.228/2025.

2. The background of the case before the Forum was that the Appellant applied for a permanent electricity connection at the aforementioned address vide request no. 8007495835. Her application was rejected by the Respondent on the ground that the "total plot area is 1700 sq. yards, applied area is 168 sq. yards, therefore an Electric Sub-Station (ESS) space is required" under the applicable DERC regulations. The

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Appellant contended that she is the owner of only a 168 sq. yard plot out of a total area of 415 sq. yards in Khasra No. 39/5/2, purchased through a General Power of Attorney (GPA) in November 2022, and is not a 'Developer'. Therefore, the requirement for providing ESS space under the prevailing DERC Rules and Regulations does not apply to her property.

She further contended that the Forum had already ruled out the requirement of the ESS space for this very site in an earlier case (Complaint No. 131/2024). Pursuant to the compliance of the order dated 02.07.2024 passed in the said complaint, an active, non-domestic temporary connection of 1 kVA vide CA no. 351415344 was successfully energized on 29.07.2024 for construction purposes at the exact same premises. Furthermore, multiple electricity connections have already been released on all sides of the applied premises. Thus, the Appellant requested the Forum to direct the Respondent to release the applied permanent connection in the interest of justice.

3. The Respondent, in its written submission presented before the Forum, referenced a technical feasibility report stating that a site inspection conducted on 05.03.2025 revealed severe network constraints in the area. The Respondent established that the subject property, admeasuring 168 sq. yards, forms part of a larger plotted development having a total plot area of approximately 1700 sq. yards. To support this, the Respondent placed on record attachments, depicting the layout of the plotting area, along with an adjoining sub-station near Jail Road and a vacant plot located behind the said premises.

The Respondent further submitted that under Regulation 11 (4)(ii) and Regulation 22 (1) of the DERC (Supply Code and Performance Standards) Regulations, 2017, read with Clause 6 of the DERC Schedule of Charges and the Procedure Order, providing an Electric Sub-Station (ESS) space is a mandatory statutory requirement for processing and releasing a new connection when the total plot area exceeds 600 square meters or the total built-up area exceeds 2000 square meters / total load is 100 kW/108 kVA. Technically, the local distribution network is currently fed through a single-phase pole-mounted Distribution Transformer that is heavily overloaded, carrying a 220 Amps load on an 11 KV feeder with more than 20 existing connections and no back-feeding source or switching station available in the locality. Given the current developmental pattern where surrounding properties are expected to build up into double-storey structures requiring a minimum connected load of 4 to 5 KW each, the existing infrastructure cannot safely support any additional permanent connections without substantial grid augmentation. Technically,



the Discom cannot upgrade the network unless the Appellant or developer provides the required space for the sub-station.

4. The Forum, in its order, observed that new electricity connections cannot be legally or technically directed in absolute violation of mandatory safety norms and statutory guidelines. Upon perusal of the technical feasibility report, the Forum noted that the existing local distribution network is operating at its maximum permissible limits, given that the 11 KV feeder is carrying a heavy load of 220 Amps, the single-phase transformer lacks necessary spare capacity, and no alternative back-feeding sources are available in the locality. The Forum emphasized that it cannot direct the Discom to release a permanent connection where the underlying grid infrastructure is found to be technically inadequate to bear additional load. Furthermore, the Forum explicitly clarified the status of the pre-existing temporary meter. It was noted that the meter was installed solely under the interim directions of an earlier order. Consequently, this temporary connection does not vest any indefeasible right in favour of the Appellant. The Appellant cannot claim a permanent connection by disregarding grid safety standards and prevailing DERC Regulations. Thus, the Forum found no merit in the case and dismissed the complaint, endorsing the Discom's rejection due to existing network constraints and the absence of the requisite ESS space

5. Aggrieved by the above-said CGRF-BYPL order, the Appellant has preferred this appeal, reiterating her stand as before the Forum.

The Appellant submitted that the subject premises previously had an active electricity connection (CA No. 101578154, NDLT category) registered in the name of the former owner, Smt. Kamlesh Sharma. After the purchase of the property in November 2022 via valid title documents, the Appellant surrendered this original connection and applied for a new temporary connection for the purpose of property reconstruction. This temporary connection was granted only after the intervention of the CGRF through its order dated 02.07.2024. In its said order, CGRF also directed the Respondent to electrify the Harsh Vihar area using a High Voltage Distribution System (HVDS) network. However, her application for a permanent electricity connection has been deliberately denied. Furthermore, an electricity pole is already positioned adjacent to the property, at a distance of merely 20 meters from the subject premises. This denial persists despite the fact that the CGRF has already passed multiple orders directing the Respondent to release electricity connections to consumers throughout the Harsh Vihar area.

The Appellant has prayed the following:

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- (a) To set aside the impugned order dated 26.05.2026 passed by the CGRF.
- (b) To direct the Respondent to release the electricity connection at the Appellant's premises vide request no.8007495835.
- (c) To award compensation to the Appellant for undue harassment.
- (d), To pass any other relief in the interest of justice.

6. The appeal was admitted on 13.07.2026 after allowing her application for condonation of delay.

7. The Discom, in its written submission to the appeal, reiterated the preliminary submission previously presented to the CGRF-BYPL. In addition, the Respondent submitted the subsequent events to the passing of the impugned Order dated 26.05.2026 and during the pendency of the present appeal, stating that the area MLA, Ch. Surinder Kumar, proposed a transformer site on the Nala running alongside Block D-1, Plot No. 576, Harsh Vihar, to resolve local electrification issues. This proposal was initiated by him via letters dated 12.02.2026 to the Respondent and 08.05.2026 to the Irrigation & Flood Control Department.

Pursuant to this proposal, the evaluation of the technical and commercial feasibility, along with obtaining the necessary NOC from the land-owning agency, is currently underway. The Respondent submitted that since these clearance processes and the physical handing over and taking over (HO/TO) of the plot are not yet finalized, actual ESS space is still unavailable. Therefore, the original ground of infrastructure constraints cited in the CGRF order continues to subsist. Without prejudice to its rights, the Respondent undertakes to expeditiously complete all feasibility studies and land transfer formalities. Immediately upon receiving the necessary clearances, the Respondent will install the transformer to process the permanent connection. In the meantime, the Appellant continues to receive electricity through an operational temporary connection vide CA No. 351415344.

8. The appeal was admitted and fixed for hearing on 21.09.2026. During the hearing, both parties were represented by their Advocates/officers. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman, Secretary and Advisor (Engineering), to elicit more information on the issue.

9. During the hearing, the Advocate appearing for the Appellant reiterated the arguments, claims, and prayer made in the appeal. In response to a query by the



Advisor (Engineering) regarding the load applied for the permanent connection, the Advocate could not reply. However, it was explained by the Advisor (Engineering) that the applied load is a 1 kVA connection under the NDLT category. The Advocate asserted that before the CGRF, the Respondent had also raised the issue regarding the proposed space, but the CGRF did not take any cognizance of it. He further reiterated his prayer for the release of permanent connection in view of the narrated fact.

10. In rebuttal, the Advocate representing the Respondent reiterated the arguments, claim and prayer made in the written submission to this office, mainly with respect to the offer of space by the area MLA and subsequent development for handing over and taking over has been completed. The Ombudsman emphasized that the applied connection and the temporary connection have the same load of 1 kVA. Hence, taking into consideration this fact, the requisite permanent connection could be provided to the Appellant after the removal of the temporary connection. The officer present submitted that there are many consumers who want to avail connections at their respective premises. If they were to release the applied connection, it would not be correct as it would set a precedent. Also, there is no provision under which a temporary connection can be converted into a permanent connection. However, it was highlighted by the Ombudsman that if the area is un-electrified or overloaded, then how a connection in the name of the earlier owner could be granted in 2006 by the Respondent at the subject premises. The officer present could not explain it. In response to a query by the Advisor (Engineering) regarding the capacity of the HVDS transformer and how many connections it supplies electricity, the officer present submitted that a 25 kVA HVDS transformer was installed at a distance of approx. 15 meters from the premises, where electricity is being supplied to eight connections. However, he failed to provide the details of eight connections already released. The Advisor (Engineering) highlighted and questioned how the Harsh Vihar area remained un-electrified when the funds of Rs.83.6 Crores had already been sanctioned by the DERC, vide DERC order dated 12.04.2022 and said Colony shows at Sr. No. 50. The officer present could not provide any answer.

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

- a) A perusal of records reveals that Respondent mentioned that the area is un-electrified but nowhere sub regulation No.11(iv) (iii) a, b, c of DERC Supply Code 2017 is complied.



- b) Appellant's plot area is 168 Sq. yards, out of entire area 415 Sq Yards as mentioned in the title documents. However, there are no documents to prove that the same is out of 1700 sq. yards. It is observed that from the site map and available photographs placed on records, the Appellant's plot/premises is cornered premises of Gali and near to that a 25 kVA HVDS transformer is existing on pole no. Y055 from where the temporary connection of the Appellant is being fed. From perusal of the available documents, it is further observed that total four connections are released from the said transformer including temporary connection of the Appellant. Thus, total sanctioned load is 5 kW and MDI 4.52 kw of all the four connections.
- c) Moreover, inspection report dated 05.03.2025 of the Respondent clearly shows that the service Cable of 2*10MM² of 20 M length is required, meaning thereby pole mounted with 25 KVA Single phase transformer is <15 M distance from the premises and loading of transformer is < 60%
- d) Temporary connection are covered under Regulation 16 of DERC Supply Code 2017 and Regulation 16 (12) clearly stipulates that "*Temporary connection shall be granted for a period of maximum 1 (one) year at a time, which, if required, may be further extended.*" Regulation 16 (14) clearly stipulates that "*For extension of the period of temporary connection, the consumer shall apply to the Licensee in writing at least 1 (one) day before the date of expiry of temporary connection*". However, Regulation 16 (15) clearly stipulates that "*the Licensee may grant extension, if possible on receipt of the written request and payment of applicable electricity charges.*"
- e) Hence, it is observed that the temporary connection was energized on 29.7.2024 and more than two years have been passed, the same is running at site without any validated procedures as defined in earlier paragraphs.

12. In the light of the above, the order of the CGRF-BYPL is set-aside and this court directs to the Respondent that applied connection should be released and temporary connection should be removed simultaneously within a week of this order after completion of necessary codal formalities. The compliance report be shared to this office within 30 days of the issue of this order.

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13. 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.



(Ali Zamin)
Electricity Ombudsman
23.09.2026