



OFFICE OF THE ELECTRICITY OMBUDSMAN

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

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Appeal No. 29/2026

(Against the CGRF-BYPL's order dated 08.05.2026 passed in Complaint No.470/2025)

IN THE MATTER OF

Smt. Rashmi Rani

Vs.

BSES Yamuna Power Limited

Present:

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

Respondent: Shri Ravinder Singh Bisht, DGM (Legal), Shri Nishant Chauhan, Sr. Manager and Shri Ashok Kumar Advocate, on behalf of the BYPL

Date of Hearing: 05.10.2026

Date of Order: 07.10.2026

ORDER

1. Appeal No.29/2026 has been filed by Smt. Rashmi Rani, W/o Shri Tej Pal Singh, R/o C-122, Prakash Vihar, Gali No.1, Karawal Nagar, Delhi - 110094, through Advocate, Shri Vinod Kumar, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 08.05.2026 passed in Complaint No.470/2025.

2. The background of the case presented before the Forum by the Appellant was that her husband, Shri Tej Pal Singh, is the owner of the subject premises. She applied for a new electricity connection (non-domestic category of 1 kW) at the said premises vide application no.8007655440 dated 27.05.2026. The Appellant contended that despite the completion of all requisite formalities, her application was rejected by the Respondent with the remarks, "As per joint visit with Division, applied premises open in UP area so connection is not feasible as the area is not part of Delhi." She further contended that this rejection was done illegally, without

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considering the fact that a prior electricity connection CA No. 101262927 in the name of "Vidya Devi" already existed at C-122 within the Delhi jurisdiction. Although that previous connection was removed due to the non-payment of dues, the outstanding amount was later on fully deposited. Despite making multiple visits to the office of the Respondent, all her efforts have gone in vain and her grievance remains unresolved. As electricity is a basic amenity of life, she is in dire need of the connection. She requested the Forum to direct the Respondent to immediately release the requisite connection in the interest of justice

3. The Discom, in its written submission dated 07.01.2026 before the Forum, rebutted that the Appellant had applied for a new non-domestic electricity connection at the premises bearing no.C-122, Khasra No. 398/2, C-Block, Ground Floor, Prakash Vihar, Gali No. 1, Karawal Nagar, Delhi - 110094. The application was rejected on 20.06.2025 due to the non-feasibility of installing an electricity connection, as the area does not fall under the territory of Delhi. Although previous outstanding dues on the building were detected during the initial stage but a subsequent site inspection concluded that the applied premises actually falls within the State of Uttar Pradesh. As a result, the Respondent does not have the jurisdiction to supply electricity to this area. Furthermore, the Respondent relied upon an order dated 24.03.2025 passed by the Hon'ble High Court of Delhi in a similar matter, wherein it was held that in such cases where feasibility of area for supply of electricity is in question, the Hon'ble Forum should ask for a report from the Revenue Department and the GNCTD to confirm whether the area falls under the jurisdiction of electricity supplying companies or not. Therefore, such a report should also be called for in the present case.

4. The Appellant in her written submission dated 26.02.2026 before the Forum, argued that Respondent has not stated anything regarding jurisdiction restriction while booking of Direct Theft (DT) on the shop (no.2) of her husband's name and another Dental Care shop on 11.09.2025 situated at ground floor by the Enforcement Team of the Respondent. Thus, she reiterated that as per DERC Regulations, the applied connection should be released in the name of the Appellant.

5. The Forum in its order dated 08.05.2026 considering the arguments of both the parties, determined that the Respondent failed to submit conclusive documents from the competent Revenue Authority to establish the property legally falls within the territorial limits of Uttar Pradesh. The Forum observed that a mere site inspection cannot legally establish territorial jurisdiction, especially since the Respondent had previously sanctioned and installed an electricity connection at the very same

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premises. To resolve this ambiguity, the Forum directed the Respondent to obtain an official jurisdictional report from the competent Revenue Authority or the Government of NCT of Delhi (GNCTD) pertaining to the subject premises. If this verification confirms that the premises falls within the territorial limits of Delhi, the Respondent should promptly process the application of the Appellant for a new connection in accordance with the law, subject to fulfillment of all commercial formalities and payment of necessary charges.

6. Being dissatisfied with the above-said order, the Appellant has preferred this appeal, reiterating the grounds previously stated before CGRF. The Appellant contended that the CGRF failed to appreciate the material facts placed on record with her written submission dated 26.02.2026 pertaining to direct theft case booked by the Respondent. Even a criminal complaint had been filed against her husband under many sections. Finally, the matter was settled with the Respondent in Lok Adalat on 22.03.2026.

Furthermore, the CGRF failed to appreciate the fact that the Respondent, in its deficiency letter dated 20.06.2025 issued to the Appellant mentioned about the outstanding energy dues on premises only rather than disclosed the jurisdictional issue. This act is clearly in violation of the Regulation 11(1)(iv) of DERC Regulations, 2017. This onus of burden is upon the Respondent to prove its version on account of deficiency in service.

The Appellant has prayed the following:

- (a) To set-aside the impugned order dated 08.05.2026.
- (b) To direct the Respondent to release the applied connection (non-domestic category) vide request no.8007655440 at the subject premises.
- (c) To award compensation to the Appellant for undue harassment.
- (d) To pass any other relief which this Hon'ble Court may deem fit, and proper in the interest of justice.

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

8. The Respondent, in its written submission dated 31.07.2026, submitted that the main dispute involves determining territorial jurisdiction rather than just granting

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an electricity connection. The Respondent denied all allegations raised by the Appellant and argued that the CGRF order is not a final decision on the rights of the parties. The CGRF merely directed that the territorial jurisdiction of the premises must first be verified by the competent Revenue Authority or GNCTD. The Respondent has already challenged this direction by filing a Review Application, which is, currently pending before the CGRF.

Regarding the earlier electricity connection bearing CA No.101262927, the Respondent stated that it was installed prior to 2025 and later disconnected due to non-payment of dues. After discovering that the premises does not fall within the territorial jurisdiction of Delhi, the Respondent refrained from providing any new connections in that area. The Respondent further argued that the payment of past dues does not give the Appellant a vested right to a new connection.

Additionally, the Hon'ble High Court of Delhi passed an order dated 24.03.2025, vide W.P.(C) & CM APPL. Nos.7736/2023 & 29850/2023 (title: BSES Yamuna Power Limited vs. Gyanender & Anr.), 7737/2023 & 29853/2023 (title: BSES Yamuna Power Limited vs. Sushil Kumar & Anr.) & 7771/2023 & 29965/2023 (title: BSES Yamuna Power Limited vs. Prabhat Bansal & Anr.). These petitions have been filed on behalf of the BYPL challenging the legality and validity of the order dated 22nd February, 2023, passed by the CGRF in CG No.176/2022. By way of the impugned order, the CGRF had directed the petitioner herein to sanction electricity connection to the premises of the Respondent no.1, after completion of all the commercial formalities and without asking him DC/Revenue Record. The counsel for the petitioner submitted that the order passed by the CGRF, is erroneous, as by way of the said order, the petitioner herein has been directed to sanction electricity connection with respect to the premises, which fall within the territory of the State of Uttar Pradesh and outside the area of supply of the petitioner.

The Hon'ble High Court in its order dated 24.03.2025, directed that "*before passing any orders in similar cases, learned CGRF shall obtain reports from the Revenue Department, GNCTD, in order to assess the fact as regards the location of the said premises, and whether the same fall within the jurisdiction of such electricity supplying companies, or not.*"

Furthermore, the written submission dated 26.02.2026 placed on record by the Appellant and the annexed documents do not conclusively establish the territorial jurisdiction of the subject premises. The Respondent stated that the Appellant was found indulged in direct theft of electricity, leading to the filing of a criminal complaint under Section 151 read with Section 157 for the offence under Section 135 of the



Electricity Act, 2003. The mere filing of this criminal complaint does not prove that the area falls within the Respondent's territorial jurisdiction. Apart from that, the Appellant cannot rely upon a deficiency communication to establish a fact which is otherwise required to be determined by the competent Revenue Authority. Thus, the Respondent acted bona fide and in accordance with its statutory duties by withholding the new connection until the question of territorial jurisdiction is finally decided.

9. The hearing was fixed on 08.09.2026 which was later on postponed to 28.09.2026, as requested by the Appellant. However, as requested by Respondent/BYPL, the hearing fixed for 28.09.2026 was again postponed to 05.10.2026. During hearing on 05.10.2026, both parties were represented by their authorized representative/advocates. 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.

10. During the hearing, the Advocate appearing for the Appellant reiterated the claims, arguments and prayers made in the appeal in support of the contention that the applied area falls in Delhi.

11. In rebuttal, the Advocate for the Respondent reiterated their previous arguments made in the written submission to the appeal. The officer present stated that admittedly the applied premises previously had an electricity connection in the name "Vidya Devi," which was installed in the year 2001 and disconnected in the year 2004 due to non-payment of dues. He argued that no new connection is being granted in the Karawal Nagar area. He highlighted that the outstanding dues were only cleared in 2025, after a delay of almost 21 years. The Respondent also questioned the ownership status of Vidya Devi, but both the Ombudsman and the Appellant's advocate pointed out that the Respondent had not raised this objection before.

Regarding the territorial dispute, the Respondent relied on geo-coordinates to argue that the premises actually fall within the Uttar Pradesh. They further submitted that while Direct Theft case against the user was an admitted fact but a new connection could only be released once the jurisdiction of the area is clearly established. In this regard, the Respondent submitted that the Hon'ble High Court, in its order dated 24.03.2025, directed the CGRF, rather than the Discom, to obtain reports from the Revenue Department, GNCTD, adding that the connection would be released immediately if the area is found to fall within the jurisdiction of Delhi.

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

- (a) A perusal of the records reveals that an appeal has been preferred in this Court primarily on the grounds that the Forum failed to consider the fact of an active electricity connection bearing CA No. 101262927 was previously operational at the exact same address which was removed on account of dues and final bill of the same has been paid. Furthermore, the Forum overlooked the fact that the enforcement case registered against the subject property on 10.09.2025, was booked under the names of the tenants of the Appellant's husband (Shri Tejpal Singh), who have since executed an NOC in favour of the Appellant to obtain the new connection. Although the Discom filed court case in the court of the Additional Sessions Judge, Karkardooma, resulting in the summoning of the Appellant's husband, this dispute was subsequently settled amicably before the Lok Adalat on 23.03.2026. Thus, the Appellant has prayed for directions to immediately release the requisite electricity connection and to award compensation for undue harassment.
- (b) The core issue that emerges is the contradictory stand taken by the Respondent. On the one hand, the Respondent is using the Hon'ble Delhi High Court's order to argue that the property falls outside its territorial jurisdiction. On the other hand, the Respondent had released a connection CA No.101262927 and actively booked a theft case against this very same property.
- (c) It is observed that the CGRF directed the Discom to obtain a report from the concerned Revenue Authorities/GNCTD regarding the exact territorial status of the premises in question but without any timeline.

13. In the light of the above as well as considering the order dated 24.03.2025 of the Hon'ble High Court of Delhi, as referred above, this court directs to modify the order of CGRF-BYPL, as under:

- (a) Respondent is directed to submit a request within 7 days of receipt of this order to the concerned Revenue officer to carry out joint site inspection and identify the premises territorial jurisdiction. If needed, follow up further till final outcome is not given by the Revenue department to ascertain the actual jurisdiction.



- (b) If premises found under territorial jurisdiction of the Respondent (BYPL), the requisite connection should be released within 7 days.
- (c) If jurisdictional clearance is not given by the Revenue department, its intimation be sent to the Appellant.
- (d) The compliance report be shared to this office within 30 days of the issue of this order.

14. This order of settlement of grievance in the appeal shall be complied with 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 of accordingly.


(Ali Zamin)
Electricity Ombudsman
07.10.2026