

C A No. Applied For
Complaint No. 14/2020

In the matter of:

Poonam PanwarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. N.K. Ray, counsel of the complainant
2. Mr. Imran Siddiqi, Mr. Prashant Tikadar, Mr. Jagatheesh Kannan & Mr. B.B. Sharma, On behalf of BYPL

ORDER

Date of Hearing: 16th July, 2020

Date of Order: 21st July, 2020

Order Pronounced by:-Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the complainant applied for new connection, but the respondent company rejected her application for the same.

It is also her submission that she is owner of premises no. A-115, 4th Floor, Vikas Marg, Delhi-110092, and the said building was constructed around 35 years ago. She further stated that already all the flats in the building have electricity connections and only her flat is without electricity.

1 of 4
Harshali

Complaint No. 14/2020

She applied for new electricity connection at her premises on 4th floor on 03.2.2020 vide application no. 8004341961, but the respondent company rejected her application of new connection on the pretext of building height more than 15 meters. Therefore, she requested the Forum to direct the respondent company for immediate release of the new connection.

Notices were issued to both the parties to appear before the Forum on 16.03.2020.

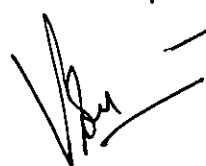

The respondent company submitted their reply stating therein that the new electricity connection can be provided as per the law as duly provided inter alia under the Delhi Electricity Supply Code and Performance Standard Regulations, 2017.

It was also their submission that the complainant applied for new electricity connection vide request number 8004341961. The release of connection was denied on the ground that the height of the building is more than 15 meters and without stilt parking at the ground floor and accordingly a deficiency letter was issued to the complainant on 06.02.2020.

It was further their submission that as per DERC guidelines, the complainant has to submit fire clearance certificate for release of new connection.

It is pertinent to mention here that during the course of hearing both the parties were directed to conduct a joint inspection regarding height of the building.

Due to Covid19, Forum was closed and hearing is now conducted on 16.07.2020 through video-conferencing. All the parties were issued notices through e-mail and messages.


for ~~~~~ 2 of 4


Complaint No. 14/2020

The matter was heard on 16.07.2020, when counsel for the complainant submitted that till 4th floor all the connections are energized. The complainant is staying at Ground Floor. The respondent also filed photographs and the joint inspection report, regarding height of the building. The report was duly signed by the complainant. The complainant raised one objection that some connections have been released after 2017, for which respondent has to file details of all the connections within three working days.

The respondent company submitted details of the other connections installed in the premises of the complainant.

1. CA No. 100989148, energization date 06.02.2004
2. CA No. 150671531, energization date 13.02.2013
3. CA No. 150671532, energization date 13.02.2013

We have gone through the submissions made by both the parties. From the narration of the facts and documents placed before us we are of the opinion that since the height of the building of the complainant is more than 15 meters.

The DERC Guideline clearly states that:-


DERC Regulations 2018, Regulation 7 (2) All multi-storeyed buildings, having a height of more than 15 meters from ground level, shall also comply with Clause 36 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof.

Clause 36 of the Central Electricity Authority, Provisions for supply and use of electricity in multi-storied building more than 15 meters in height:-

(1) The connected load and voltage of supply above which inspection is to be carried out by an Electrical Inspector for a multi-storied building of more than fifteen meters height shall be notified by the Appropriate Government.

As per Schedule of charges and the Procedure, third amendment order dated 04.07.18, clause 5 of the Declaration which is reproduced here:

That the building has been constructed as per prevalent building Bye-laws and the total height of the building.


3 of 4
Harshali

Complaint No. 14/2020

- (i) Does not exceed 15 (fifteen) meters on the date of seeking service connection;
or
- (ii) Is more than 15 (fifteen) meters and Fire Clearance Certificate is available with the applicant.


Under the circumstances the new connection prayed for by the complainant cannot be released.

No order as to the cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)


(ARUN P SINGH)
CHAIRMAN


(VINAY SINGH)
MEMBER (LEGAL)