



C A No. Applied For  
Complaint No. 280/2023

In the matter of:

Gurudwara Sri Guru Singh Sabha .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Imran Siddiqui, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Ms. Seema Rawat, Ms. Shweta Chaudhary & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 19<sup>th</sup> September, 2023

Date of Order: 21<sup>st</sup> September, 2023

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. This complaint has been filed by Gurudwara Sri Guru Singh Sabha against BYPL-LNR.
2. The brief facts of the case giving rise to this grievance are that complainant Gurudwara Sri Guru Singh Sabha applied for new electric

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Secretary  
CGRF (BYPL)

1 of 4

Complaint No. 280/2023

connection vide request no. 8006344851, 8006344853 and 8006344857 at premises no. 848-B block, Mandawali Fazalpur, Delhi-110092, but respondent rejected the applications of the complainant for new connection on pretext of meter already exists.

3. OP in its reply briefly stated that the complainant is seeking new electricity connections for first floor, second floor and third floor at property bearing no. 848-B block, Mandawali Fazalpur, Delhi-110092, vide application no. 8006344851, 8006344853 and 8006344857. OP visited site on 07.0.2023 and building consists of basement + ground floor + 3 floors. A meter bearing no. 35348896 with CA No. 152090699 was found to already exist at the site which is a religious place, thus TF was rejected. The subject premises are a religious place and hence being a one consolidated unit and already electrified cannot be granted more connections.
4. Arguments of both the parties are heard.
5. Counsel of the complainant rebutted the contentions of respondent as averred in their reply and submitted that the complainant's premises are separate from the other portion of the property. Gurudwara is on the ground floor and the complainant's have applied for new electricity connections at first, second and third floor of the premises. All the floors have separate entry and separate kitchen as per DERC Regulations, therefore OP should release him new connections at the earliest.

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2 of 4

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Complaint No. 280/2023

6. Sub-Regulation 10(1)(iv) of DERC Supply Code 2017, Wherever, one dwelling unit has been sub-divided and separate kitchen as well as separate entry is available, second electric connection may be given to the lawful occupant.
7. As far as legal position is concerned in the present case, as per DERC Regulations 2017, Sub- Regulation 10. New and Existing Connections:  
(4) Sub-divided Property:-  
(i) Where property/premises have been legitimately subdivided, the owner/occupier of the respective portion of such sub-divided property shall be entitled to obtain independent connection in his name.  
(ii) The Licensee shall provide the connection, to the applicant of respective portion of the legitimately sub-divided property, on payment of outstanding dues on pro-rata basis for that portion, based on the area of such sub-division or as mentioned in sub-division agreement, and the Licensee shall not deny connection to such applicant on the ground that dues on the other portion(s) of such premises have not been paid, nor shall the Licensee demand record of last paid bills of other portion(s) from such applicant(s).
8. Since, it is admitted fact by both the parties that there is separate entry for the premises where the new connection has been required and separate kitchen also. All the three connections are applied on three different floors of the building therefore, we are of considered opinion that the complainants are liable to get the new electricity connections in view of above stated DERC Regulations.

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Complaint No. 280/2023

ORDER


Complaint is allowed. Respondent is directed to release the new connections to the complainants after completion of all the commercial formalities as per DERC Regulations 2017.

The OP is also directed to file compliance report to this office within 21 days from the issue of this order.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.  
Proceedings closed.

  
21/9/22  
(P.K. SINGH)  
CHAIRMAN

  
(S.R. KHAN)  
MEMBER-TECH

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(H.S. SOHAL)  
MEMBER