



**C A No. Applied For**  
**Complaint No. 364/2023**

**In the matter of:**

Mohd Hashim .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht & Ms. Shweta Chaudhary, On behalf of BYPL

**ORDER**

Date of Hearing: 23<sup>rd</sup> November, 2023

Date of Order: 29<sup>th</sup> November, 2023

**Order Pronounced By:- Mr. S.R. Khan, Member(Technical)**

1. The complainant Mohd. Hashim in his complaint submitted that he applied for load enhancement vide request no. 8006247970 at premises no. 42, GF, Kh. No. 42, Kabir Nagar, Near Shiv Public School, Delhi-110053, but respondent rejected his application for load enhancement on pretext of "all floors in commercial activity for cloth cutting work and building status ground plus five floors, required BCC, DPCC and lift certificate.

Attested True Copy  
  
Secretary  
CGRF (BYPL)

Complaint No. 364/2023

2. OP in its reply briefly submitted that complainant is seeking load enhancement from 5 KW to 11 KW with respect to CA No. 154082287 and applied vide request no. 8006247970. The connection is installed at property no. 42, Ground Floor, Khasra No. 42, Kabir Nagar, Near Shiv Public School, Delhi-110053. The site of the complainant was visited and it was found that building is commercial in nature and consists of ground plus five floors over it. The application of the complainant was rejected for want of Certificate from DPCC and further as there are effective six floors as such building height is more than 15 meters with lift provision, complainant is also required to provide Fire Safety Clearance Certificate from fire department as per Regulation 7 read with clause 36 of CEA (Measures relating to safety and electric supply Regulation 2010) or Building Completion Certificate (BCC) in lieu thereof.

The complainant has provided DPCC, however want of fire safety Clearance Certificate or a Building Completion Certificate (BCC) and a lift certificate still subsists.

3. The counsel of the complainant submitted its rejoinder refuting therein the contentions of the respondent as averred in their reply and stated that the complainant had already submitted DPCC certificate for single phase to three phase certificate. He also stated that his premises are situated at the ground floor; therefore there is no need of submission of BCC certificate. Also, this forum has decided a similar subject matter vide CG no. 186/2023 in name of Mohd Yasin.



Complaint No. 364/2023

4. LR of the OP submitted that as per Regulation 17(1)(2) of DERC Supply code 2017 the complainant has to complete the commercial formalities as per that of new connection for load enhancement. Since the height of the building is more than 15 meters the complainant has to submit fire clearance certificate or building completion certificate.
5. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue
  17. Existing connections:-
    - (2) Load Enhancement on the request of consumer:-
      - (i) The applicant shall apply for load enhancement in the format notified in the Commission's Orders.
      - (ii) The procedure as laid down in Regulation 11 for release of electricity connection shall be followed.
      - (iii) If the effective date of load enhancement falls between the billing cycles, the Licensee shall raise the bill on pro-rata basis during that billing cycle.
6. In view of the above, we observe that the complainant has applied for load enhancement from single phase to three phase upto 11 KW. He also submitted DPCC certificate as required by OP. OP has asked for fire clearance certificate or building completion certificate since the height of the building is more than 15 meters.
7. Keeping the lenient view towards the complainant since the complainant already had a connection and only asked for load enhancement that upto 11 KW, this Forum feels that load enhancement can be given to the complainant.
8. Therefore, we are of considered opinion that OP should enhance the load to the complainant from single phase to three phase upto 11 KW after completion of other commercial formalities.


Complaint No. 364/2023


ORDER

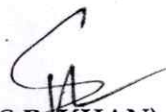
The complaint is allowed. OP is directed to enhance the load to the complainant within the stipulated time period as per DERC Regulations 2017.

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

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.

  
(H.S. SOHAL)  
MEMBER

  
(NISHAT A. ALVI)  
MEMBER (CRM)

  
(S.R. KHAN)  
MEMBER (TECH.)

  
(P.K. SINGH)  
CHAIRMAN

4 of 4