

**CA No. Applied For**  
**Complaint No. 151/2023**

**In the matter of:**

Renu .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Deepak Jain & Ms. Divya Sharma, On behalf of BYPL

**ORDER**





Date of Hearing: 15<sup>th</sup> June, 2023  
Date of Order: 19<sup>th</sup> June, 2023

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Secretary  
CGRF (BYPL)

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

1. This complaint has been filed by Ms. Renu against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Renu applied for new electric connection vide request no. 8006161559 at premises noF-22, GF, Kh. No. 498, Asar Mohalla, Sabhapur Village, Delhi-95.

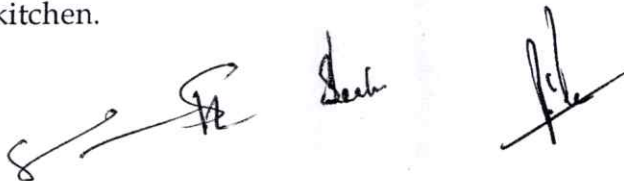
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It is also her submission that respondent rejected her application for new connection on the pretext of meter already exists at site and no separate dwelling unit found at site. Whereas, she contested that her premises are separate from the other portion of the property. Therefore, she requested for release of new connection.

3. OP in its reply briefly stated that the complainant is seeking new electricity connection for ground floor at property bearing no. F-22, Kh. No. 498, Asar Mohalla, Sabhapur Village, Delhi vide application no. 8006161559. OP visited site and it was found that building consists of ground floor with shops in front and residential unit at back side. Premises already have two connections vide CA No. 101466975 in the name of Manoj Kumar Sharma and CA No. 101387573 in the name of Om Prakash. As such no new connection can be granted.

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. She is also having ID proofs, Aadhar Card, Voter ID card, Ration Card etc pertaining to property no. F-22, Gali No. 6, Near Sarkari School, Asar Mohalla, Sabhapur Village, Karawal Nagar, Delhi. It is also submitted that complainant is entitled to get release of electricity connection in her name as same is essential and necessary amenities for life. She further added that the dwelling unit of complainant is separate and also having separate kitchen.

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6. LR of the OP submitted that there are already two electricity connections on the ground floor and as per DERC Regulations 2017, sub-regulation 10 (1)(vi), the new connection can be provided when there is separate kitchen as well as separate entry.
7. 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.
8. 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).
9. During the hearing both the complainant and OP submitted site plan showing the actual position of site. The main entry gate to the premise is



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single but the site map shows separate rooms for all the four brothers and separate kitchens also. The site visit also shows that already two connections are installed in the applied premises one in the name of Manoj Kumar and other in the name of Om Prakash.

10. Since, there is no separate entry for the premises where the new connection has been required and no sub-division agreement has been filed by the complainant. Therefore, we are of considered opinion that the complainant has not fulfilled the above stated DERC Regulations.

ORDER


Complaint is rejected. Respondent has rightly rejected the application of the complainant for new connection.


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.

  
(H.S. SOHAL)  
MEMBER

  
(NISHAT A. ALVI)  
MEMBER (CRM)

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

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(P.K. SINGH)  
CHAIRMAN