

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com

C A No. Applied for
Complaint No. 343/2024

In the matter of:

IshaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal On behalf of BYPL

ORDER

Date of Hearing: 22nd October, 2024

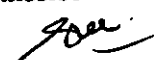
Date of Order: 24th October, 2024

Order Pronounced By:- Mr. H. S. Sohal, Member

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. B-61-A, Plot No. 53, First Floor, Street No.-1, Mukund Vihar, Karawal Nagar, Delhi-110094, vide request no. 8006917209. The application of the complainant was rejected by OP on the pretext of new development area, ESS Space required and pending energy dues against CA No.

35626855, 17098800.

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CGRF (BYPL)



Complaint No. 343/2024

2. The OP in its reply briefly stated that that the present complaint has been filed by the complainant against rejection on her request no. 8006917209 for Ground floor at premises no. B-61-A, Plot No. 53, First Floor, Street No.-1, Mukund Vihar, Karawal Nagar, Delhi-110094. OP further states that the space required for electric sub-station is not available at site and OP submits the grant of new connection is also declined as there exist pending energy dues at the applied site against CA No. 101446638 of Rs. 8950/- & CA No. 100053033 of Rs. 134470/-. Thus, the developer who has done the plotting is required to provide space for ESS as per Regulation 22.
3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply specifically denying the fact that the area where new connection applied is non-electrified area. Complainant stated that he is not a developer and is the only owner of subject property area measuring 47.6 square yards and the alleged dues does not pertain from the complainant as the both connections are live.
4. In support of his respective contentions complainant has placed on record the written submission. Complainant stated that he applied for electricity connection in respect of the portion measuring area 57 square yards and three meter having CA No. 100053033, 101446638, 101442774 are already installed by OP in remaining portion except applied portion.
5. Arguments heard and perused the record.

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Complaint No. 343/2024

6. Before disposal of the complaint, the relevant Regulation 22 is narrated here:-

22. Space for installation of grid substation, transformers, service line, meter and other equipment:-

(1) The developer or the applicant applying for supply of electricity from the Licensee shall provide free of charge, the applicable space of requisite dimensions as notified in the Commission's Orders, at a convenient location, as may be mutually agreed between the consumer and the Licensee, for erection and installation of grid substations, transformers, switch gear, meter, equipment, etc.: Provided that if there is no specific developer in an area and the augmentation of the existing distribution system requires the space for installation of grid substation, transformers, switch gear, etc. to meet out the load demand, the distribution licensee shall approach the Government of National Capital Territory of Delhi, within fifteen days of such requirement, for allotment of space, indicating the probable space available in such areas:

(2) Except for HT or EHT networks, the Licensee shall have no right of utilize the sub-station in the consumer's premises, without his consent, for the supply of electricity energy to other consumer: Provided that the utilization of such assets for providing electricity to other consumers shall not in any manner affect the supply to the consumers for which such assets were originally installed.

7. From the perusal of the fact as above, we are of considered opinion, that B-61-A, Plot No. 53 is a big plot of around 1016 sq yards from which developer has done plotting by cutting small plots and the complainant is owner of only 57 square yards plot.

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Complaint No. 343/2024

It is difficult for the complainant to provide space for installation of ESS and on the other hand in the subject area there is no LT network of OP. Thus, OP is not in a position to grant electricity connection to the complainant.

Also, the complainant has placed on record three electricity bills which are installed in the remaining part of the subject plot. In this regard OP stated that two of these three meters were energized in the year 2002 and 2008 respectively and energization date for one meter is not known.

8. As per the above stated Regulation, it is clearly evident that if the required space is not provided by the applicant or the developer, the distribution Licensee will not be in position to grant new electricity connection to the complainant.

On the basis of aforesaid findings, it is clear that there is no LT network of BSES from where the complainant can be provided electricity connection; therefore OP has rightly rejected the application of the complainant for new connection. For release of new electricity connection, the complainant has to fulfill requirement of providing ESS space as per Regulation 22 of DERC Regulations 2017.

ORDER

The complaint is rejected. The request of the complainant for new connection has been rightly rejected by OP.

The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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4 of 5


Complainant No. 343/2024

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.


(H.S. SOHAI)
MEMBER


(NISHAT A ALVI)
MEMBER (CRM)


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


(P.K. SINGH)
CHAIRMAN

5 of 5

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