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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

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SECY/CHN 015/08NKS

C A No.100663158

Complaint No. 05/2025

In the matter of:

Kamal Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Rakesh Sharma, Representative of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 04th March, 2025

Date of Order: 11th March, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for load enhancement from single phase meter to a three phase meter against CA No. 100800095 at premises no. I-X-568, Shanti Mohalla Market, Subhash Road, Gandhi Nagar, Delhi-110031, vide request no. 8007311245. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of Incorrect category of tariff usage at site building completion certificate/

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Architect certificate for height of building (G+ 5 commercial building), but complainant stated that he has submitted an Architect Certificate as an alternative. He also alleged that several similar cases have been addressed and the required changes were implemented to ensure safety and compliance. Therefore, he requested the Forum to direct the respondent for load enhancement.

2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking enhancement of load from single phase meter to a three phase meter of his existing NX connection having CA No. 100800095 at the premises bearing I-X-568, Shanti Mohalla Market, Subhash Road, Gandhi Nagar, Delhi-110031 vide request no. 8007311245. The application for load enhancement was rejected on account of height of the applied premises is more than 15 meter. Upon the site inspection, it was discovered that the building structure of the applied site comprises of Ground Floor+ 5 Floors (Commercial) building having the height of more than 15 meters. Reply further added that the entire case has to be seen in terms of the Regulation 17 (2), (7) of DERC Regulation which mandates Regulation 11 has to be strictly followed and Architect Certificate will not come to the rescue of the complainant as BCC and Fire NOC is a pre-condition to be submitted for getting the NX connection.
3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that as per deficiency complainant submitted the architect certificate, it is not

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Justified for the respondent to not accept architect certificate. Complainant stated that as per DMC Act, 40% of the construction on the roof of the fourth floor of the total property is not considered as a floor. Area of above said property is 68 square meters and the building structure is ground + four floors. There is a temporary tin shed on roof of the fourth floor which is only 25 percent of the total area.

4. Heard both the parties and perusal the record.
5. From the narration of facts and material placed before us we find that complainant applied for enhancement of load from single phase meter to a three phase meter which OP rejected on pretext of height of the applied premises is more than 15 meter and building structure is Ground+ Five Floors (Commercial). Regarding objection of the OP, complainant filed architect certificate which also shows building structure is ground+ five floors over it.
6. The relevant Regulation is under:-

17 (7) Conversion from single phase to three phases LT and from LT to HT; and vice-versa:

(i) All applications for change from single phase to three phase Low Tension and from Low Tension to High Tension; and vice-versa, as the case may be, shall be dealt as per the procedure laid down at Regulation 11.

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7. From the perusal of the above stated regulation, the complainant has to fulfill all the requirements of Regulation 11 of DERC Supply Code 2017 which is for release of New Electricity Connection. Since the height of the building is more than 15 meters therefore as per Regulation 11 of DERC supply code 2017 the complainant has to file fire clearance certificate for load enhancement.

ORDER

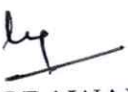
The complaint is rejected. OP is directed that if in near future the complainant produce fire clearance certificate, they should enhance the load as applied for by the complainant after fulfillment of the other commercial formalities as per DERC Regulations 2017.


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

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

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


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


P.K. SINGH
(CHAIRMAN)

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