

C A No. Applied for
Complaint No. 79/2025

In the matter of:

KiranComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.K Khan, Member (Tech.)

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 27th May, 2025

Date of Order: 29th May, 2025

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

1. The present complaint has been filed by Ms. Kiran against BYPL- Nand Nagri.
2. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection vide request no. 8007443075 at premises no. A-5, Kh. No. 24, GF, Radha Vihar, New Mandoli Industrial Area, Delhi-110093.

[Handwritten signatures]

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CGRF (BYPL)

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The application of the complainant was rejected by OP on grounds of de-sealing letter required, disconnection 12.01.2018 19.01.2018, Shyam Sunder Aggarwal, A-5, Kh. No. 24, Radha Vihar, Delhi.

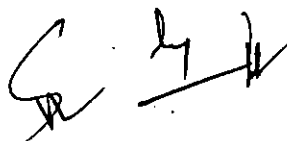
3. The respondent in reply briefly stated that the complaint has been filed by the complainant seeking for new IX connection at the premise no. A-5, Kh. No. 24, Ground floor, New Mandoli Industrial Area, Delhi-110093 vide application no. 8007443075. The application of the complainant for new connection was rejected on following grounds:-

Firstly- applied premises are booked by MCD factory licensing department in its list dated 05.01.2018 at serial no. 511. Accordingly, de-sealing letter is required duly issued by the competent authority.

Secondly- there exist a connection at the applied site with C A no. 153025274 in the name of Police Rai which was released on 18.01.2020 under the category of DX and this category was later changed as NX by enforcement on 24.02.2022 due to misuse by the user.

Reply further stated that MCD vide its letter dated 05.12.2019 gave NOC to the complainant for restoration of domestic connection but this would be no help for the complainant as the connection is sought under Industrial Category.

Hence, the respondent respectfully submits that the complainant seeking new connection under DX category as sought in the present complaint cannot be granted to the complainant in view of the aforesaid objections and accordingly requested the Hon'ble forum to adjudicate the present complaint accordingly.



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4. Counsel for the complainant filed rejoinder refuted the contentions of the respondent as averred in their reply and submitted that she became owner of the subject premises on 10.01.2025 via GPA in her favour. It is also submitted that a non-domestic connection is already installed in the subject premises vide C A no. 153025274. It is further added that MCD has issued him factory license therefore, MCD's objection is set aside itself by MCD.
5. During the course of argument, complainant is asked to file fresh complaint mentioning all the details of his complaint which is missing while filing the present complaint. OP also filed an application to implead MCD as party in the present case.
6. Heard both the parties and perused the record.
7. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection under industrial category at premises no. A-5, KH. No. 24, GF, Radha Vihar, New Mandoli Industrial Area, Delhi-110093. OP rejected the same on pretext of de-sealing letter required.
The property of the complainant was sealed by EDMC on 05.01.2018 vide letter no. AO/FL/EDMC/2018/D-277 addressed to Chief Executive Officer-BYPL, mentioning therein that a list of sealed industrial units by Zonal Authorities of EDMC which were running in non-confirming area of EDMC with request to confirm whether action has been completed for disconnection of electricity and water supply of theses sealed industrial units. The complainant's property is mentioned at sl. no. 511, in the name of M/s Shyam Sunder Aggarwal, A-5, Kh. No. 24, Radha Vihar, Delhi.

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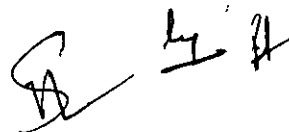
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We also find that OP alongwith their reply placed on record a letter dated 05.12.2019 from the office of EDMC, Office of the Assistant Commissioner, Keshav Chowk, addressed to Business Manager (BSES), Nand Nagri Division, wherein it is clearly mentioned as under:-


"this is reference of the application received in this office for NOC regarding restoration of residential electric connection at property no. A-5, GF, Kh. No. 24, Radha Vihar, New Mandoli Industrial Area, Delhi-110093, NOC is hereby granted for restoration of residential electric connection in respect of property no. A-5, GF, Kh. No. 24, Radha Vihar, New Mandoli Industrial Area, Delhi-110093.

From the perusal of the MCD letter dated 05.12.2019; it is clearly evident that MCD has granted permission for restoration of residential electric connection in respect of complainant's property. Therefore, we cannot grant new electricity connection to the complainant for industrial purpose. For industrial connection the complainant has to obtain NOC from MCD. The complainant's plea that he has been issued Factory license by MCD cannot be relied upon as the license issued by MCD is only provisional factory license and the issuing authority is Factory License Department, MCD, New Delhi whereas property was sealed by office of Assistant Commissioner MCD, Shahdara Zone. Both the departments are separate department therefore; clearance from office of Assistant Commissioner, MCD is must before releasing new electricity connection under industrial category.



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ORDER


The complainant is rejected. OP has rightly rejected the application of the complainant for new electricity connection. For release of new connection under industrial category, the complainant has to file NOC/clearance/approval from Assistant Commissioner of MCD, Shahdara Zone.


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.



(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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