

C A No. Applied for
Complaint No. 195/2024

In the matter of:

KuldeepComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Deepak Pathak, Mr. R.S. Bisht, Ms. Chhavi Rani, Mr. Akshat Aggarwal & Mr. Lalit, On-behalf of BYPL

ORDER

Date of Hearing: 29th August, 2024

Date of Order: 04th September, 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. D-1/576-D/1, Second Floor, Old No. D-1/576-D, Gali No-17-A, Kh. No. 39/5/2, D-1 block, Harsh Vihar, Delhi-110093, vide request no. 8006789405. The application of complainant was rejected by OP on the pretext of No Wiring, No Support Pole, Long Service Cable 70 meter approx, Un-electrified Area.

for
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Secretary
CGRF (BYPL)

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2. The OP in its reply briefly stated that that the present complaint has been filed by the complainant against rejection on his request no. 8006789405 for second floor at premises no. Old No. D-1/576-D, D-1/576-D/1, Gali No-17-A, Khasra No. 39/5/2, D-1 Block, Harsh Vihar, Delhi-110093 and building structure is Ground plus two floors over it. OP further stated that the subject gali is totally un-electrified. This area is of approximately 1700 square yards in which plotting has been done. As such it is necessary that developer provide space for electricity network. Reply also states that prior to it, six more requests for new connection has also been rejected for want to electrification of the area. Thus, the developer who has done the plotting is required to provide a space for ESS as per Regulation 22 of DERC Supply Code 2017.
3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply specifically denying that is non-electrified area. Complainant stated that the complainant is not a developer and he is the only owner of above property area measuring 45 square yards.
4. In support of his contentions complainant has placed the handmade map of the site. Complainant sought various dates to provide site photographs to show the actual site position and distance between the electricity pole of BSES and his premises. But despite giving multiple opportunities the complainant failed to provide the actual site photographs.

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5. Arguments heard and perused the record.

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C.O. (S.F.L.)

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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 substations, transformers, switch gears, 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 to utilize the substation in the consumer's premises, without his consent, for the supply of electrical energy to other consumers: 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 facts as above, we are of considered opinion, that block D-1 Khasra No. 39/5/2 was a big plot of around 1700 sq yards from which developer has done plotting by cutting small plots and the complainant is owner of only 45 square yards plot.

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CGRF (B.T. & C)

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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 it is difficult for OP to grant electricity connection to the complainant.

The site map submitted by the complainant along with his rejoinder shows that there are no electricity poles in the Gali where the complainant's premises falls. The electricity poles which the complainant shows in the map are at a far distance and it seems that it is not feasible to grant electricity connections for those poles.

Also, the complainant has placed on record judgments of this Forum, in which the Forum has granted electricity connections to the complainants where OP has asked for ESS space. In this regard, we find that those cases are different from the present case as there was BSES network in the area which as per OP was overloaded. But in the present case, there is no BSES network in the gali where the premises of the complainant falls, therefore, the new connection application of the complainant is rejected.

8. As per the above stated Regulation, it is clearly mentioned that if the required space is not provided by the applicant or the developer, the distribution Licensee may refuse the grant of additional load.
9. 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
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Secretary
CGRF (LIT)

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ORDER

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

Case is disposed off as above.


No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.


(P.R. SINGH)
CHAIRMAN

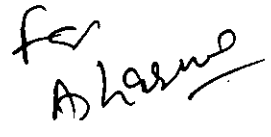

(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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CGRF (BTL)