

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 015/0RNK5

C A No. Applied For
Complaint No. 543/2024

In the matter of:

Mohd AdilComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Nishikant Ray, Counsel of the complainant
2. Mr. Prashant Sharma, Mr. R.S Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 23rd April, 2025

Date of Order: 29th April, 2025

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection vide request no. 8007116044 at premises no. H.No. 1024/A, 3rd floor, Kucha Rahulla Khan, Toraha Bairam Khan, Daryaganj, Delhi-110002, but respondent rejected the application of the complainant for new connection on grounds of connection already exists vide meer no. 35898403 and Architect Certificate required (G+UGF+4 floors over it) domestic building.

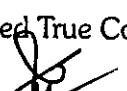
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CGRF (BYPL)

Complaint No. 543/2024

2. OP in its reply submitted that the complainant is seeking new domestic connection for premises bearing no. 1024/A, 3rd floor, Kucha Rahulla Khan Tiraha, Bairam Khan, Darya Ganj, Delhi-110002 vide request no. 8007116044 and same was rejected on grounds that meter bearing no. 35898403 already exists at applied premises. The building structure is ground+ upper ground +4 floors over it, making height of the building more than 15 meters and in terms of Clause 4(ii) of Schedule of Charges and the Procedure (sixth amendment) Order, 2021 of DERC (Supply Code and Performance Standards) Regulations 2017, "in the dwelling units which are above the height of 15 meters without stilt parking and which are above of the building, the electricity connection shall not be provided unless the fire clearance certificate has been obtained."
3. Counsel for the complainant filed rejoinder and refuted the contentions of the respondent as averred in their reply and submitted that the complainant has applied for new connection at third floor under domestic category and OP has wrongly presented that the said connection is being used at third floor whereas meter no. 35898403 is being used at 4th floor in the name of Aisha Farzana. Rejoinder further submitted that he has applied for new connection on 3rd floor and as per sixth amendment of DERC order dated 15.04.2021, 3rd floor is within permissible height limit therefore he is entitled for new domestic connection.
4. Arguments of both the parties were heard.

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5. From the narration of facts and material placed before us we find that the complainant has applied for new electricity connection showing building structure as GF+ UGF+ FF+ SF+ 3rd F+ 4th floor. Whereas at the time of release of new electricity connection on 03.11.2023 in the name of Aisha Farzana, the building structure was shown as GF+FF+SF+3rd F+4th F +5th F. The connection of Aisha Farzana is also energized on the same floor at which the complainant has applied new connection in the present complaint. Only the floors are mentioned differently in both the cases.

It seems that this is being done by the complainant only to get the connection on the top floor/fifth floor which as per building bye-laws is not possible to easily get by the complainant.

6. Therefore, in view of the above deliberations, we are of the considered view that the OP has rightly rejected the application of the complainant for new connection on the floor which is already energized. The complainant's with malafide intentions has changed the floor numbers to get the new electricity connection on the top floor of the building. Upper ground floor/first floor is only considered only in the case when there is parking on the ground floor but in the present case the ground floor is not parking. The complainant's contention that he is liable to be benefited under sixth amendment of DERC Regulations 2017 cannot be considered as the sixth amendment is applicable only in the case when the dwelling units upto 15 meters without stilt parking and till 17.5 meters with stilt parking.

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7. In view of the above, this Forum is unable to give any relief to the complainant.

ORDER

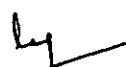
The complaint is rejected. OP has rightly rejected the application of the complainant for new connection.

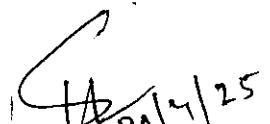
The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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.)

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