

C A No. Applied for  
Complaint No. 620/2024

In the matter of:

Mohd Imran Saifi

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. I U H Siddiqi, Counsel for the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

## ORDER

Date of Hearing: 10<sup>th</sup> June, 2025

Date of Order: 17<sup>th</sup> June, 2025

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

1. The present complaint has been filed by Mohd Imran Saifi against BYPL-  
Laxmi Nagar.

2. The brief facts of the complainant's grievance are that the complainant applied for new electricity connections vide request no. 8007294853, 8007290416, 8007290424, 8007290435, 8007291436, 8007291439, 8007291442 and 8007291446 at premises no. J-3/90-B, J-extension, Laxmi Nagar, Delhi-110092.

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for  
Aharwal

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The applications of the complainant for new connections were rejected by OP on grounds of building interconnected with J-8/89, address in MCD objection list (431, J-3/90, Laxmi Nagar), CC against 0908125705, 0908125706, 0908125707, 0908125708, 0908125709, 0908126060 dues at site 000100926222, 000401462488, mismatch applied address and existing meter, MRO required - 35915950.

2. OP in its reply against the complaint of the complainant submitted that the complainant is seeking eight new electricity connections at different floors of premises bearing address J-3/90-B, J-extension, Laxmi Nagar. The details of the application numbers is presented in tabulated form as below:

S.No.	Application no.	Address/floors
1	8007290416	Shop, ground floor
2	8007291436	Shop, ground floor
3	8007294853	First Floor, front side
4	8007291439	Second floor
5	8007291442	Third floor
6	8007291446	Third floor
7	8007290424	Fourth floor front side
8	80072904355	Fourth floor back side

The above said applications of the complainant were rejected on the following grounds:

- Address mismatch.
- MRO required of temporary meter no. 359915950.
- Height more than 15 meters, as commercial connection is also sought which mandates submission of a legal, valid and verifiable NOC from DFS in terms of Rule 27 of DFS Rules.

- Complete title documents required in terms of Regulation 10 of

DERC Supply Code.

for  
Shalini  
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3. The complaint in its rejoinder submitted that he applied for two NX connections on ground floor and one each at first and second floor DX purpose and two each at third and fourth floor for DX purposes. The objections of OP are totally false and wrong reasons. Regarding first objection of address mismatch, OP has released a temporary connection on the same address; hence the objection of address mismatch of OP is baseless. MRO of existing meter, the complainant is ready to surrender the temporary meter on the same day of installation of permanent meters. Regarding objection of height of the building more than 15 meters, the complainant submitted that fourth floor only mummy exists and below that a washroom is built along with stairs below the mummy and no fire certificate is required. Regarding providing property papers, the complainant submitted that property documents of both the properties are already placed on record.
4. Both the parties were directed to conduct joint site visit. The site visit report submitted by OP stated that building structure is ground + five floors. Temporary meter exist at site with meter no. 35915950, MRO required. Properties no. J-3/90B & J-3/89 are joint building. MCD objection same address.
5. During the course of arguments OP filed DERC order dated 31.05.2019 vide order no. F.17 (85)/Engg./DERC/2016-17/5403/487 regarding request for resolution of various issues relating to grant of new electricity to a building having total height upto 17.5 meters. The counsel for the complainant filed Forum's judgment in matter of Kamleh Vs BSES in C.G. No. 386/2024, and an Architect Certificate to show the height of the building is within permissible limits.

for  
Ashwini

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CCRF (BYPL)

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6. The above stated DERC letter dated 31.05.2019 in para 19 Height Exemptions, have mentioned the height of the building covered under Building Bye-laws. It states as Under:

**19 Height Exemptions:**

The following structures shall not be included in the height of building covered under Building Bye-laws.

- i. Roof tanks and their supports not exceeding 1.8 m.
  - ii. Ventilating apparatus, air conditioning equipments and lift machine room(s) if required as per the specification of lift manufacturer and similar service equipments,
  - iii. Stair covered with mumty not exceeding 3.0 m in height.
  - iv. Chimneys and parapet wall not exceeding 1.5 m in height.
  - v. Screen wall upto the height of 1.8 m.
  - vi. Solar panel fixed on terrace as per 7.12.2 (p).
7. The Architect certificate filed by the complainant states that the total building height: - fourth floor less than 15 meters and mumty height 2.6 meters.
8. From perusal of both the documents placed on record by both the parties, it is transpired that the mumty is well within the height as prescribed by DERC in its letter dated 31.05.2019. As per the Architect Certificate the height of mumty is 2.6 meters which is less than 3 meters. OP in its site visit report has stated that MCD objection same address but has neither submitted any supporting document/MCD booking list and nor objected same in its reply. This MCD objection is only mentioned in the site visit report. Therefore, this objection of OP cannot be relied upon.

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CGRF (BYPL)

by SA

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9. In view of the above, we are of considered opinion that the new connections as applied for by the complainant have been wrongly rejected by Op. In the facts and circumstances we don't find any valid reason/substance in justifying rejection of complainant's request for new connections. The complainant is very much entitled for new connections applied for.

ORDER


The complainant is allowed. OP is directed to release the new electricity connections as applied for by the complainant vide request no. 8007294853, 8007290416, 8007290424, 8007290435, 8007291436, 8007291439, 8007291442 and 8007291446 at premise sno. J-3/90-B, J-extension, Laxmi Nagar, Delhi-110092 as applied for by the complainant after completion of other commercial formalities as per DERC Regulations 2017.


This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

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.R. SINGH)  
CHAIRMAN

  
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Secretary  
CGRF (BYPL)