



C A No. Applied For
Complaint No. 86/2025

In the matter of:

Nikesh 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)

Appearance:

1. Mr. Akash Ruhela, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 11th September, 2025
Date of Order: 15th September, 2025

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

1. The brief facts of the case giving rise to this grievance are that complainant applied for new electricity connection vide request no. 8007212473 at premises no. 4216, Gali Ahiran, Pahari Dhiraj, Delhi. It is also his submission that OP rejected his application for new electricity connection on the grounds of connection already exists, MCD objection, NOC or completion and occupancy certificate required, building completion certificate/architect certificate for height of building, co-owner NOC and ID proof required.

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Secretary
CGRF (BYPL)

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2. The respondent in reply briefly stated that the complainant is seeking new electricity connection under NX category for house no.4216, ground floor, gali Ahiran, Pahari Dhiraj, Delhi vide application no. 8007212473. The application of the complainant was rejected on following grounds:
- a) Connection already exist at applied site against CA no. 70127116, in the name of Nikesh Kumar, i.e. the complainant.
 - b) Mix use building and NX connection is being sought, Fire NOC in terms of Regulation 27 of DFS is required as the height of the applied site is more than 15 meters
 - c) MCD polluting list booking against the applied premises meaning thereby DPCC certificate required.
 - d) Applied premises do not maintain the appropriate distance from the electrical wiring and pole belonging to the respondent company.
3. The complainant in rebuttal reiterated original complaint and submitted that he applied for new electricity connection at ground floor for godown purpose only. He further submitted that respondent asked him to surrender the already installed connection in his name, which he did and also make the full and final payment of the connection. It is also his submission that OP has installed many connections in the subject premises.
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 OP raised three fold objections for rejecting the application of the complainant for new connection under NX category. The first objection raised by OP is connection existing in the name of Nikesh Kumar vide CA no. 70127116. As per the requirement of OP, the complainant got the said connection removed.

OP raised other objection that there exist MCD polluting booking list against applied premises thereby DPCC certificate is required. OP also objected that the applied premises does not maintain appropriate distance from the electrical wires and pole belonging to the respondent.

Against the above stated two objections, OP failed to produce any documentary evidence in support of their claim. Neither any MCD booking list is filed by OP or any photographs showing pole encroachment.

The last objection raised by OP is requirement of fire NOC as building height is more than 15 meters. In this regard, the building structure submitted by OP is stated as Ground + four floors over it. The building having structure ground plus four floors over it is well within the 15 meters' height. Therefore, we do not find this objection of OP sustainable here as the height of the building is less than 15 meters.

6. Therefore, we find no lapse on the part of the complainant and the rejection of application of the complainant for release of new electricity connection by OP is unjustified. In view of the above, we are of considered opinion that the complainant should be granted new electricity connection.

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ORDER


Complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant vide request no. 8007212473 at 4216, ground floor, gali Ahiran, Pahari Dhiraj, Delhi after completion of all other commercial formalities as per DERC Regulations 2017 and after giving the undertaking regarding the fact that whenever MCD in future will take action against the illegal construction, OP is free to disconnect the new electricity connection.

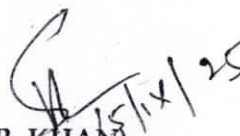
This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

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.K. SINGH)
CHAIRMAN

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CGRF (BYPL)