



C A No. 152622127  
Complaint No. 89/2024

In the matter of:

Preeti Aggarwal .....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)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Rakesh Kumar, A.R. of the complainant
2. Ms. Ritu Gupta, Ms. Chhavi Rani & Mr. Akshat Aggarwal & On behalf of BYPL

ORDER

Date of Hearing: 16<sup>th</sup> April, 2024

Date of Order: 24<sup>th</sup> April, 2024

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. This complaint has been filed by Ms. Preeti Aggarwal against BYPL-Krishna Nagar. The brief facts of the case giving rise to this grievance are that Ms. Preeti Aggarwal applied for load enhancement against CA No. 152622127 vide request no. 8006734224 at premises 6679, Janta Gali, Gandhi Nagar, Delhi-110031 but respondent rejected the application of the complainant due to "Incomplete Documents, BCC/Architect Certificate for height of building and Ownership documents and

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CGRF (BYPL)

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Affidavit not submitted for any pollution work" but Complainant stated that she has already submitted all documents in division office. Therefore, she requested the Forum to direct the respondent for load enhancement.

2. OP in its reply briefly stated that the present complaint, the complainant is seeking load enhancement from Phase 1 to Phase 3 (8KW to 11 KW) for CA No. 152622127. The connection is installed at the premises bearing no. 6679, Janta Gali, Gandhi Nagar, Delhi-110031 and is granted for commercial purposes. The Complainant had applied for load enhancement vide request no. 8006734224. However, the application stands auto-canceled on account of non-appearance within 30 days of raising deficiency. The site visited and it was found that the building is commercial in nature and consists of Ground+ 5 floors over it. Over the roof of fifth floor there is mumty plus lift and generator room. Also at the time of the visit commercial activity was found in the building. As the complainant is asking for load enhancement and for converting single phase connection to three phase connection as such she is required to complete all formalities grant of new connection.

BCC/Fire safety certificate as the height of building which consist of effective six floors has to be more than 15 meters. To carry out commercial activity license and certificate regarding the nature of work and pollution are required to be submitted. Complainant has placed on record architect certificate as per which the premise consist of G+4 and mumty also. As the architect certificate is not as per site situation, therefore same cannot be relied upon. The existing connections at the subject property which is now a joint property are old connections which were energized prior to year 2018. The details of other existing connections are as under:




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Meter No.	Date of Connection	Address
55298324	11 AUG 1997	6679 JANTA GALI GHANDHI NAGAR
70301834	01 AUG 1990	6679 JANTA GALI GHANDHI NAGAR
70197215	01 JAN 1990	6680 JANTA GALI GANDHI NAGAR
55357483	01 JAN 1990	6680 JANTA GALI GHANDHI NAGAR

3. In response to the reply the complainant filed rejoinder, refuting contentions of the respondent as averred in their reply and stated that she has applied for load enhancement against CA No. 152622127. It is submitted that the applicant Preeti Aggarwal had purchased property no. 6679, Janta Gali, Gandhi Nagar, Delhi-110031 in the year 2018. There were two electricity connections in this property, one in the name of Gur Kaur having CA No. 100898841. Application was made for getting the power load enhanced to 20 KW NX by following all the rules of BSES-YPL and submitted all mandatory documents. Name change has been done against CA No. 152622127 by BSES department without any objection.
4. Arguments of both the parties were heard at length and perused the record.
5. From the narration of facts and material placed before us we find that the complainant applied for load enhancement from 8KW to 11 KW i.e. from single phase to three phase. The representative of the complainant admitted that they need this load enhancement to run lift installed in the premises.

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Whereas OP stated that the complainant has to fulfill following formalities for load enhancement:-

- a) Submission of building completion certificate (BCC)/fire safety certificate.
- b) License and certificate regarding nature of work and pollution are required to be submitted.
- c) Lift safety certificate.
- d) Tariff category needs to be rectified to DOM 3 NX.

6. From the perusal of the documents placed on record we find that against the requirement of building completion certificate, the complainant has filed Architect Certificate in which the architect has mentioned that building constructed from ground floor, first floor, second floor, third floor, fourth floor along with lift room and generator. He also confirmed that total height of the building in which the electricity connection is being sought is within 15 meters.

Regarding lift safety certificate, complainant along with his rejoinder has filed license for working a lift issued by Govt of NCT of Delhi, Labour Department.

It is also admitted fact by both the parties that load enhancement from single phase to three phase is required for running lift. Therefore, the requirement of License and certificate regarding nature of work and pollution is not justified. Although the complainant has placed on record EDMC General Trade/Storage License but same is valid till 31.03.2022.

7. Since the application of the complainant is only for load enhancement from 8 KW to 11 KW and that too for running of lift. We feel that rejecting application of complainant is not justified.

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8. Therefore, we are of considered opinion, that application of the complainant for load enhancement can be granted, provided that complainant would file an undertaking that he would only use the connection for lift purpose and if OP found it being used for any other purpose, OP is free to take action as per law.


ORDER


The complaint is allowed. OP is directed to enhance the load of the complainant after filing undertaking by the complainant that he would only use the connection for lift purpose.

The case is disposed off as above.

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

  
(H.S. SOHAL)  
MEMBER

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

  
(P.K. SINGH)  
CHAIRMAN

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