

C A No. 150235571
Complaint No. 104/2026

In the matter of:

Rabri Devi

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. Shalabh Kumar, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Neeraj Sharma, A.R for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 21st July, 2026
Date of Order: 27th July, 2026

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

1. The brief facts of the grievance are that the complainant has applied for category change from NX to DX vide request no. 8008276778 against the meter having CA no. 150235571 installed at premises no. E-5/277, Ground Floor, Gali No.4, 5th Pusta, Sonia Vihar, Delhi-110094, but application of the complainant for category change was rejected by OP on grounds of "The premises falls under the HT line, No separate dwelling unit is available at site".

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Complaint No. 104/2026

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking category change of electricity connection bearing CA No. 150235571 from NX to DX installed at premises bearing no. E-5/277, Ground Floor, Gali No.4, 5th Pusta, Sonia Vihar, Delhi-110094 vide application no. 8008276778. It was further submitted that during the site inspection, it was observed that there was no independent kitchen on ground floor. The complainant herself admitted in the complaint that there is no kitchen on Ground Floor and that the occupants of the Ground Floor are using the kitchen of First Floor.

It is also submitted that the premises is situated directly beneath a 220 KV High Tension transmission line and the horizontal distance between the structure and the HT line is zero meters. That the said connection was first released in 07.10.2011 under Domestic category and at that time the building structure was only Ground Floor. Further, additional construction was undertaken and tariff category of the connection was changed from DX to NX. That an assessment for tariff violation/misuse under Section 126 of the Electricity Act, 2003 was raised vide CA No. 401713949 and the complainant settled it before the Lok Adalat by making payment of the assessed amount. It is further stated that the said transmission line neither belongs to nor is operated or maintained by the Respondent. The ownership, operation, maintenance, right of way and technical control over the said transmission corridor exclusively vest with Delhi Transco Limited and DTL should be impleaded as a necessary party to the present proceeding.

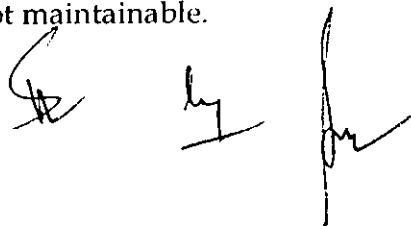
2 of 4

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Complaint No. 104/2026

3. The complainant in its rejoinder stated that the complainant applied for category change from NX to DX. There is a family living and using kitchen and rooms on the ground floor. He further reiterated his original complaint.
4. Arguments of both the parties are heard.
5. From the narration of facts and material placed before us we find that the complainant has applied for change of category of electricity connection bearing CA No. 150235571 from NX to DX and the respondent rejected the application on the grounds of "There was no separate dwelling unit on Ground Floor and the premises falls under an 220 KV HT line and the horizontal distance between the HT line and the premises is zero meters".
6. During the course of the argument OP objected that there is no separate dwelling unit in the premises, in this regard it is transpired that the complainant has not applied for separate new connection and there is only one dwelling unit in the premises and already one electricity connection exists in the subject premises. Further, O.P raised the objection that HT line is directly above the premises and horizontal distance is zero. It was argued that the connection is on ground floor and the complainant doesn't applied for new connection and in past also the respondent had changed the category from domestic to non-domestic on account of misuse of the electricity connection. Therefore, we do not find any concrete objection of OP to reject the application of the complainant for category change. The objections raised by O.P are not maintainable.



3 of 4

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Complaint No. 104/2026

ORDER

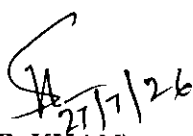
The complaint is allowed. OP is directed to change the category from Non-Domestic to Domestic as applied for by the complainant vide request no. 8008276778 for CA No. 150235571 installed at premises no. E-5/277, Ground Floor, Gali No.4, 5th Pusta, Sonia Vihar, Delhi-110094 after completion of other commercial formalities as per DERC Regulations 2017.

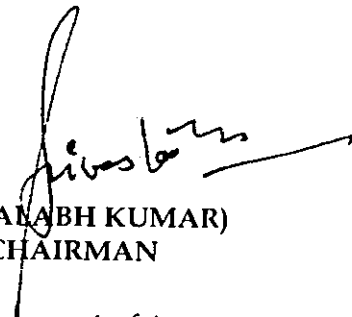
OP is further directed to file compliance report within 21 days of the action taken on this order.

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.)


(SHALABH KUMAR)
CHAIRMAN

4 of 4

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