

C A No. Applied for
Complaint No. 60/2025

In the matter of:

Sunil Kumar Jain

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

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 15th May, 2025

Date of Order: 20th May, 2025

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

1. The present complaint has been filed by Mr. Sunil Kumar Jain against BYPL- NND.

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2. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection vide request no. 8007415664 at premises no. D-10/1, Kh No-17/12, Mandoli New Mandoli Industrial Area, Ph-2, Shahdara, Delhi -110093.

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Secretary
CGRF (BYPL)

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The application of the complainant was rejected by the opposite party (OP) BYPL on ground of Undertaking Required nature of work and EDMC Objection (R) Polluting Unit.

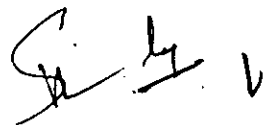
3. The respondent in reply briefly stated that the complaint has been filed by the complainant seeking for new NX connection at the premise no. D-10/1, Kh No-17/12, Mandoli New Mandoli Industrial Area, Ph-2, Shd, Delhi -110093. The application of the complainant for new connection was rejected on following grounds:-

Firstly- Complainant needs to file a valid trade license thereby detailing out the nature of trade to be intended for being carried out at the applied premises.

Secondly- Complainant is also required to furnish valid DPCC certificate along with trade name and trade type and also an indemnity bond is required from the complainant stating that the premises would be used for industrial purpose only and not for any other purpose.

Thirdly- Complainant is also directed to give an undertaking that the premise will not be misused and no activity in violation of MPD 2021 and DMC Act, 1957 will be carried out as it has been directed by the office of Assistant Commissioner, MCD vide letter dated 13.09.2024 when the applied premise was de-sealed by the competent Authority.

Hence, the respondent respectfully submits that the complainant seeking new connection under DX category as sought in the present complaint cannot be granted to the complainant in view of the aforesaid objections and accordingly requested the Hon'ble forum to adjudicate the present complaint accordingly.



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4. Counsel for the complainant filed rejoinder refuted the contentions of the respondent as averred in their reply and summated that a new connection vide order no. 8007415664 at premises bearing house no. D-10/1, Kh No-17/12, Mandoli New Mandoli Industrial Area, Ph-2, Shahdara, Delhi -110093 is applied by the complainant. Complainant further stated that the rule no. 10 of DERC supply code 2017 does not provide any direction for such document (valid DPCC with trade name and trade type). The documents required are directed only for industrial connection whereas our above application is for non domestic (warehouse). The complainant also emphasized upon the Office Order of DPCC dated 20.05.2016 vide no. DPCC/ITCELL/2016/702-711, in which at point no. (xiv) it is mentioned that "No consent is required from DPCC for running office/trading house/godown/warehouse provided no air and water pollution is caused.

The complainant further stated that he has applied for new connection for godown purpose only.

5. During the course of argument, complainant is asked to file fresh complaint mentioning all the details of his complaint which is missing while filing the present complaint.

6. Heard both the parties and perused the record.

7. During the arguments, OP emphasized upon letter of MCD dated 13.09.2024, addressed to Sh. Ajay Kumar Jain, for property bearing no. D-10/1, Kh. No. 17/12, Mandoli Industrial Area, Delhi-110093 which is regarding permanent de-sealing of above said property. The MCD also mentioned that "you are hereby directed that the premises in consideration will not be misuse in future in violation of

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MPD 2021 and DMC Act, 1957 as amended from time to time and will not carry out any trade without valid Municipal License in Future." Therefore, it is necessary for the complainant to file Valid Trade License from Municipal Corporation.

8. Therefore, respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file Valid MCD Trade License.

ORDER

The complainant is allowed. Respondent is directed to release the new connection applied by complainant vide request no. 8007415664 at premises no. D-10 D-10/1, Kh No-17/12, Mandoli New Mandoli Industrial Area, Ph-2, Shd, Delhi -110093 after completion of all the commercial formalities required for giving connection as per DERC regulation 2017 and submitted Valid MCD Trade License.

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.)

(P.K. SINGH)
CHAIRMAN

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