

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08NKS

C A No. Applied For
Complaint No. 351/2024

In the matter of:

Surender Gupta

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Vinod Kumar, 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: 01st October, 2024

Date of Order: 07th October, 2024

Order Pronounced By:-Mr.Nishat A Alvi, Member (CRM)

1. Present complaint has been filed by the complainant thereby alleging that he applied an electricity connection of NX category on his premises being 1st floor of property no. A-23, Jhilmil Industrial Area, Shahdara, Delhi-110095. The said application for connection was declined by the OP thereby alleging that the applied premises stand booked by MCD on

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account of unauthorized construction and secondly technical feasibility is not made out as there is an existing meter in the applied premises vide meter no. 19008929 having sanctioned load of 127 KW and now a new connection, requiring load of 21 KW, is being applied which would lead to transformer overload.

2. In reply to the complaint, OP alleges that since the applied premises are booked by the MCD then connection applied for cannot be allowed besides there is one more connection in the subject building which has 127 KW load and allowing further load may lead to overloading of the transformer. Therefore the application of the complainant for new connection has rightly been rejected. Hence, unless said objections are removed by the complainant as per provisions of DERC Supply Code 2017 the connection cannot be granted.
3. In rejoinder to the reply, the complainant states that the applied premises are not booked by the MCD in as much as the list provided by the OP pertains to the sealed premises while the subject premises are not sealed and the complainant is in use and occupation of the said property and one connection is already running on its Ground Floor.
Regarding second objection of overloading, rejoinder states that the meter bearing no. 19008929 belong to owner of basement as well as GF of this building and complainant has no concern with that connection. It is also pointed out in the rejoinder that the consumer of that connection has also applied for reduction of load upto 50 KW. Therefore, question of overloading never arises.
4. In support of their respective contentions, complainant has placed on record copies of deficiency letter as well as sale deeds in favour of owners of basement and GF of the subject building who is the consumer of meter

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no. 19008929, alongwith copy of the bill of this meter. On the other hand, OP has placed on record copy of MCD letter dated 13.11.2020 alongwith two lists of sealed and booked properties respectively aongwith its IR.

5. Heard and perused the record.
6. As per pleadings and the arguments of both parties the request of NX connection to the complainant in his premises were declined by the OP on two grounds, firstly the applied premises is booked by MCD and secondly, granting the connection applied for shall further overload the transformer as already a connection of heavy load is running in the subject building.

So far as the question of over-loading of the transformer is concerned complainant though have not given any particulars of the application of the consumer of meter no. 19008929 for reduction of load but even if this objection of the OP is not entertained there is no substantial evidence on behalf of the complainant in support of his contention that the applied premises is not booked by the MCD. Against the list provided by the OP the only plea complainant raises is that the alleged list placed on record is of sealed properties which is not so sealed as complainant as well as other connection holder are residing in the subject building and using the electricity connection. In this respect we perused the list on record and it is transpired that there are two lists one is for sealed properties and the other is for booked properties and the applied premises is shown in the list of booked properties at its sl. No. 408 which specifically reveals that the said property was booked on 15.11.16.

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7. On the basis of above said findings complainant has not been able to prove that his property is not booked by the MCD. Thus, even if we don't consider the issue of overloading in granting applied connection, as the applied premises booked property, it shall be violation of provisions of concerned Regulations and laws.
8. In the facts and circumstances, in our considered view the rejection of the request for applied connection by OP is fully justified. Hence, the complainant is not entitled for grant of the same.


ORDER

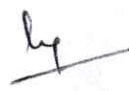
Complaint being devoid of any merit is not maintainable and is accordingly dismissed.

The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.


(NISHAT A ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)

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


(P.K. SINGH)
CHAIRMAN

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