

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
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SECY/CHN 01508NKS

C A No. Applied For
Complaint No. 63/2020

In the matter of:

Ram Kishore GuptaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. Nishi Kant Ray, Counsel for the complainant
2. Mr. Imran Siddiqi, Mr. Prashant Tikadar & Mr. Jagatheesh Kannan, On behalf of BYPL

ORDER

Date of Hearing: 04th December, 2020

Date of Order: 08th December, 2020

Order Pronounced by:- Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the complainant applied for new connections at parking, upper ground floor and third floor, but the respondent company rejected his application for new connection on the pretext of building height more than 15 meters.

It is also his submission that he is owner of built up property at 1/47, Old Plot No. 25, parking, GF, UGF and third floor, Lalita Park, Laxmi Nagar, Delhi-92.

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He further submitted that there is no connection in the entire building and he applied for new connections on 04.03.2020 bearing application no. 8004400605, 8004400609 and 8004400585. The said building's height is less than 15 meters from all sides and also has stilt parking at ground floor. Therefore, he requested the forum to direct the respondent for immediate release of the new connections.

Notice was issued to both the parties to appear before the Forum on 02.11.2020.

The matter was heard on 02.11.2020, when both the parties were directed to jointly inspect the site of the complainant. The matter was again heard on 18.11.2020, when the complainant stated that he is not satisfied with the respondent's re-visit report. Forum again directed for joint inspection of the site of the complainant in presence of Secretary of the Forum.

Respondent company submitted their reply stating therein that new connection can be provided as per law duly provided under Delhi Electricity Supply Code and Performance Standard, Regulations 2017. It was further added that the applicant applied for new electricity connections under non-domestic category on 04.03.2020, vide application number 8004400605, 8004400609 and 8004400585 at 1/47, Old Plot No. 25, parking, GF, UGF and third floor, Lalita Park, Laxmi Nagar, Delhi-92.

Further, the respondent company stated that during the site visit it was also observed that a temporary meter vide no. 25365643 is present at site. The applied building's height is more than 15 meters i.e. 15.60 meters. The complete building comprises of B+GF+4 for commercial use. Respondent further submitted that for commercial building having height of 15 meters or more, a fire clearance certificate is required.

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That in terms of Supply Code, 2017 Fire Clearance Certificate is required. The relevant provision of the Supply Code, 2017 is reproduced herewith for ready reference.

"Wiring in the premises of the consumer: All multi- storied buildings, having a height of more than 15 meters from ground level, shall also comply with Clause 36 of the Central Electricity Authority (measures relating to safety and electric supply) Regulations, 2010 and amendments thereof"

Clause 36 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010:

36. Provisions for supply and use of electricity in multi-storied building more than 15 meters in height.

1. *"The connected load and voltage of supply above which inspection is to be carried out by an Electrical Inspector for a multi-storied building of more than fifteen meters height shall be notified by the Appropriate Government".*
2. *"Before making an application for commencement of supply or recommencement of supply after an installation has been disconnected for a period of six months or more the owner or occupier of a multi-storied building shall give not less than thirty days notice in writing to the Electrical Inspector specifying therein the particulars of installation and the supply of electricity shall not be commenced or recommenced within this period without the approval in writing of the Electrical Inspector".*
3. *"The supplier or owner of the installation shall provide at the point of commencement of supply a suitable isolating device with cut-out or breaker to operate on all phases except neutral in the 3-phase, 4-wire circuit and fixed in a conspicuous position at not more than 1.70 meters above the ground so as to completely isolate the supply to the building in case of emergency".*

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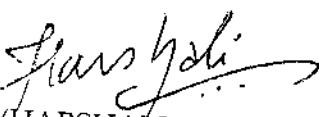
4. "The owner or occupier of a multi-storied building shall ensure that electrical installations and works inside the building are carried out and maintained in such a manner as to prevent danger due to shock and fire hazards and the installation is carried out in accordance with the relevant codes of practice".
5. "No other service pipes and cables shall be taken along the ducts provided for laying power cables and all ducts provided for power cables and other services shall be provided with fire barrier at each floor crossing".

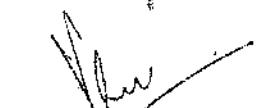
Hence, the electricity connection was not released to the complainant. The Respondent Company has annexed the deficiency letter, Inspection Report etc. as necessary documents to substantiate their claims.

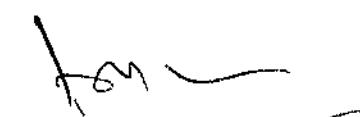
The matter was finally heard on 04.12.2020, when the counsel of the complainant submitted his withdrawal letter asking for permission to withdraw his complaint from the Forum, with due signature. Since the complainant himself wants to withdraw his case, the Forum granted the complainant's request of withdrawal of the present complaint as he does not want to pursue the present case any further.

Under the circumstances, this Forum finds it prudent to allow the complainant to withdraw his complaint and directs the office to consign the file to record room after sending a copy of this order to both the parties. No order as to the cost.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LEGAL)


(ARUN P SINGH)
CHAIRMAN