

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. 151997991  
Complaint No. 42/2019

In the matter of:

Nanhe Miyan .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. None present on behalf of the complainant
2. Mr. Imran Siddiqi & Mr. Achal Rathi, On behalf of BYPL

ORDER

Date of Hearing: 30<sup>th</sup> October, 2019  
Date of Order: 1<sup>st</sup> November, 2019

Order Pronounced by:- Mrs. Vinay Singh, Member (Legal)

The complainant lodged a complaint in CGRF for change of category from non-domestic to domestic. It was his submission that there are two non-domestic connections in his premises. He applied for category change for the connection installed at first floor of the premises, but the respondent rejected his application for category change on the pretext of "no kitchen available at ground floor." He requested the Forum to direct the respondent for change of category from non-domestic to domestic.

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*Harshali*  
*Imran*  
*Achal*

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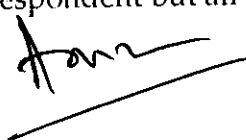
Notice was issued to both the parties to appear before the Forum on 22.08.19. The respondent has filed a reply on dated 21.08.19 as under:-

That the complainant is seeking change of category of CA NO. 151997991 from non-domestic to domestic. The said connection is registered in the name of complainant and on receipt of request from the complainant for category change the respondent visited the site and found that the premises in issue which was provided electricity through CA No. 151997991 had shutter and there was no kitchen or household setup inside the premises. The complainant insists that for the same premises the commercial connection already exists having CA No. 101347481, but the same CA NO. is in the name of Salam Khan and in respect of separate shop existing on the ground floor of the same property.

It is pertinent to mention here that during hearing the respondent was asked to visit the premises of the complainant and inspect whether there is commercial or domestic use and to file the report on the next date of hearing and also see whether the domestic connection is possible or not. As per the orders of the Forum an inspection was carried out at the premises of the complainant and the report filed by the respondent is narrated as under:-

- "1. Site was visited here found that a shutter exists at applied portion.*
- 2. No kitchen exists at applied portion.*
- 3. At the time of visit applied portion is found used parking."*

On final hearing the complainant was not present. Since the complaint was pending since August 2019 and the proceedings were completed the Forum reserved the orders. The complainant was given many opportunities to settle the matter amicably with the respondent but all went in vain.





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We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the complainant wants category change from non-domestic to domestic. It was also observed that where the complainant wants the change of category, as per site report there is no separate kitchen and a shutter exists at applied portion. Also there is no separate entry to the premises and it seems that it is not a residential unit/area.

*As per the Section 10 (1) vi, Wherever, one dwelling unit has been sub-divided and separate kitchen as well as separate entry is available, second electric connection may be given to the lawful occupant.*

Since the complainant failed to fulfill the Guidelines of DERC Regulations 2018 under Regulation 10 (1) vi, stated as above, this Forum is of the opinion that for domestic connection a separate entry and kitchen is required in the premises.

Therefore, this Forum dismisses the case, as the complainant failed to fulfill the requirements of DERC Regulations.

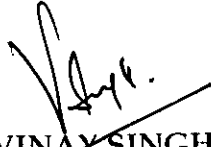
Case is disposed off as above.

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

The order is issued under the seal of CGRF.

  
(HARSHALI KAUR)  
MEMBER (CRM)

  
(ARUN P SINGH)  
CHAIRMAN

  
(VINAY SINGH)  
MEMBER (LEGAL)