



C A No. Applied for  
Complaint No. 189/2022

In the matter of:

Ajay Kumar .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Imran Siddiqi, Ms. Shweta Chaudhary, Mr. Deepak Verma & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 22<sup>nd</sup> November, 2022

Date of Order: 23<sup>rd</sup> November, 2022

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

1. This complaint has been filed by Mr. Ajay Kumar, against BYPL-NNG.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Ajay Kumar applied for new connection vide request no. 8005794837 at his premises no. E-51/60A, C-1 block, Jhuggi Nand Nagri, Delhi-110093. He further submitted that respondent rejected his application for new connection on pretext of domestic connection already exists at site.

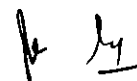
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3. The respondent in reply briefly stated that the applicant applied for new electricity connection vide application no. 8005794837 in name of Ajay Kumar at E-51/60A, C-1 block, Jhuggi, Nand Nagri, Delhi-93.

OP further submitted that during site visit of the applied premises on dated 11.08.2022 it was found that the premises wherein fresh electricity connection was sought was already electrified and was having one commercial meter sanctioned for tent godown purpose. The said connection was energized in March 2021. It was further added that premises involved is single unit consisting of a single room of 6 X 10 sq foot and a bathroom of 6 X 4 sq foot. Hence, second connection is not possible, however, there is no commercial activity at premises therefore, and the commercial connection can be changed into domestic as per law.

4. Heard both the parties and perused the record.
5. Heard the arguments of Authorized Representative of the complainant and OP-BYPL. Representative of the complainant admitted that the commercial connection is being used for e-rikshaw charging which is now being used outside the premises and in the premise domestic activity is going on therefore he needs new domestic connection.
6. In this record, LR of OP submitted that for e-rikshaw charging, the complainant has to fulfils the norms as per the Regulations and get the commercial connection changed into domestic connection. OP further added since the premise of the complainant is single unit consisting of a single room of 6 X 10 sq foot and a bathroom of 6 X 4 sq foot; therefore, they are unable to release another connection in the same premise.





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7. The main issue in the present case is whether the new connection can be issued to the complainant when already a non-domestic connection is energized in the same premises.
8. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.
9. DERC (Supply Code and Performance Standards) Regulations, 2017, Regulation 10 New and Existing Connections:- (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.
10. From the perusal of evidence placed on record, we are of the considered opinion that since already a commercial connection is installed therefore, new connection cannot be granted to the complainant. The OP cannot be compelled to release the new connection to the complainant.

Forum is of the view that since commercial activity is no more in existence at the premise of complainant; therefore, the complainant can apply for category change of the existing non-domestic connection to domestic connection as per Regulation 17. Existing connections:- (5) Change of category on the request of consumer of DERC Supply Code and Performance Standards, Regulations 2017.



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ORDER

Complaint is rejected. The OP has rightly rejected the application of the new connection of the complainant. The OP is further directed that if the complainant applied for category change as per above mentioned Regulation, same should be done within prescribed time frame as per Regulation.

The case is disposed off as above.

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

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

  
(P.K. SINGH)  
CHAIRMAN