



C A No. Applied For
Complaint No. 152/2023

In the matter of:

Anil AroraComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed 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. Ms. Ritu Gupta, Mr. Ravi Tiwaru, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 25th May, 2023
Date of Order: 06th June, 2023

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

1. This complaint has been filed by Mr. Anil Arora against BYPL-DRG.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Anil Arora applied for new electricity connection vide request no. 8006184907 at premises no. 4931, GF, plot no. 68, shop no. 3, Darya Ganj, Delhi-110002 but respondent rejected his application of new

Handwritten signatures and initials.

Attested Copy
Secretary
Secretary
Secretary
(BYPL)

Complaint No. 152/2023

Connection on pretext of lift fitness certificate from electrical inspector required and energy dues against CA No. It is also his submission that he is owner of shop on ground floor only and has no concern with the lift.

3. OP in its reply briefly stated that the complainant is seeking new electricity connection for ground floor of property bearing plot no. 68, shop no. 3, 4931, Darya Ganj, New Delhi vide request no. 8006184907, the deficiency letter was issued for want of lift fitness certificate from electrical inspector and fire safety certificate/building completion certificate as building consists of ground plus five floors over it and hence the height of the building is more than 15 meters.

OP further added that dues amounting to Rs. 224/- on pro-rata basis are required to be paid against CA No. 100210863 and of Rs. 21,381/- against CA No. 150015069.

It is also their submission that building is completely commercial and four connections already exist at applied building.

4. Arguments of both the parties are heard.
5. Counsel of the complainant rebutted the contentions of the respondent as averred in their reply and submitted that there are eight electricity connections in the said property and that latest one released by the respondent was on 21.06.2022 at shop no. 2, plot no. 68, GF, Darya Ganj, Delhi. He further submitted that he is owner of the shop situated at ground floor of the premises without roof right, thus he has no concern with the lift.

deli *file* *h*

2 of 4

Attested True Copy
[Signature]
Secretary
CGRF (BYPL)

Complaint No. 152/2023

6. LR of the OP submitted that the connection as alleged by the counsel of the complainant is released in the year 2022 at shop no. 2, plot no. 68, GF, Darya Ganj, Delhi, in this regard it is submitted that the said connection was energized in the year 2012 and name change, load reduction and category change was done in the year 2022, therefore, the date of energization alongwith CA No. was changed against the said connection. Thus for release of new connection the complainant has to submit Building Completion Certificate from MCD as the building height is more than 15 meters and it is a commercial building.
7. As far as legal position in the present case is concerned, as per the notification of DERC vide no. F.17(85)/Engg./DERC/2016-17/5403/487 dated 31.05.2019 it is clarified that the distribution licensee for release of electricity connection shall not insist for fire clearance certificate for the residential buildings having height upto 15 meters without stilt parking and 17.5 meters with stilt parking. The measurement of the height of the building shall be made in accordance with clause 1.4.16 and 7.19 of Unified Building Bye-Laws for Delhi 2016.
8. As per DERC (Sixth Amendment) order, 2021 dated 15.04.2021:
2.0(3) In case of residential buildings, for release of electricity connection the Distribution Licensee shall not insist for Fire Clearance Certificate for the residential building having height up to 15 meters without stilt parking and up to 17.5 meters with stilt parking.
9. We are of considered opinion that building is entirely commercial and for release of new connection the Fire clearance/BCC from MCD is required.

Dec 14 2023

Attested True Copy
3 of 4

Secretary
CGRF (BYPL)


Complaint No. 152/2023


ORDER


Respondent is directed to release the connection if the complainant submits the Fire Clearance Certificate/Building Completion Certificate and complete commercial formalities as per DERC Guidelines 2017.

The case is disposed off as above.

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


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

4 of 4

Attested True Copy


Secretary
CGRF (BYPL)