

CA No. 101539719
Complaint No. 01/2022

In the matter of:

Santosh DeviComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mrs. Monika Taneja, Member (CRM)

Appearance:

1. Ms. Suman Kumari, Complainant
2. Mr. Imran Siddiqi and Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 18th April, 2022
Date of Order: 25th April, 2022

Order Pronounced By:- Mrs. Vinay Singh, Member (Law)

Briefly stated facts of the case are that the complainant applied for load enhancement and the respondent company rejected her application for load enhancement.

The complainant's grievance is that she applied for load enhancement for commercial connection having CA No. 101539719 from 6 KW to 11 KW. The respondent inspected the premise of the complainant many times but have not made load enhancement effective till date.

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Therefore, she requested the forum to direct the respondent to increase the load from 6 KW to 11 KW and the connection shall be in three phase. She also asked for litigation charges of Rs. 10,000/-.

Notices were issued to both the parties to appear before the Forum on 07.02.2022.

The respondent in their reply stated that the complainant is registered non-domestic consumer vide CA no. 101539719 at B-1/99, Gali No. 3, Har Govind Public School, Harsh Vihar, Delhi-110093, applied vide request no. 8004860070 to change load from 6 KW to 11 KW (single phase meter to three phase meter). Respondent further added that the location where the premises of the complainant is situated, all connections are energized through HVDS (High Voltage Distribution System) transformers having single phase HVDS network.

It is also their submission that three phase connection to the complainant is not technically feasible being single phase HVDS system.

The matter was listed for hearing on 07.02.2022, when both the parties were present. Respondent submitted their reply and counsel of the complainant wanted to file rejoinder.

The counsel of the complainant submitted her rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted list of the premises where the respondent has released three phase connections.

Matter was again heard on 21.02.2022, when both the parties were asked to file their written submissions. On next date of hearing i.e. on 02.03.2022, counsel of the complainant vide mail dated 26.02.2022 asked for adjournment.

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On hearing dated 21.03.2022, complainant filed one application regarding space available on Jail Road. Respondent was asked to verify the same and file their report.

Respondent vide their mail dated 12.04.2022, submitted that they have issued a letter to the land owning agencies for allocation of space for three phase network and installation of electricity sub-station in HVDS area of Division Nand Nagri.

The matter was finally heard on 18.04.2022, when respondent filed their reply. Arguments were heard and matter was reserved for orders.

The complainant's premises is at Harsh Vihar, Delhi which is electrified on single phase HVDS (11 KV) network where small capacity (single phase 25 KVA) transformers are installed on pole as there is no space for installation of substations or big transformers. Three phase connection requires three phase LT (440V) network and installation of electrical sub-station. Respondent also quoted **Regulation 22 of the DERC Supply Code 2017, which is narrated as under:**

22. Space for installation of grid substation, transformers, service line, meter and other equipment:-

(1) The developer or the applicant applying for supply of electricity from the Licensee shall provide free of charge, the applicable space of requisite dimensions as notified in the Commission's Orders, at a convenient location, as may be mutually agreed between the consumer and the Licensee, for erection and installation of grid substations, transformers, switch gear, meter, equipment, etc.:

Provided that if there is no specific developer in an area and the augmentation of the existing distribution system requires the space for installation of grid

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substations, transformers, switch gears, etc. to meet out the load demand, the distribution licensee shall approach the Government of National Capital Territory of Delhi, within fifteen days of such requirement, for allotment of space, indicating the probable space available in such areas:


The respondent has inspected the area and is unable to find any place available for installation of LT transformer/substation. They have also written letter to Deputy Secretary (Power), Govt. of NCT of Delhi, 8th Level, B-wing, Delhi Secretariat vide no. AsVP (O&M)NNG/40 dated 30.03.2022 in this regard.


In our considered opinion,

- In the present circumstances due to technical feasibility single phase connection of the complainant cannot be converted into three phase.
- That if complainant/land owning agencies provides a space for three phase line and transformer, as per Section 22 of the DERC Guidelines 2017, then the connection may be converted into three phase supply by the respondent.

The order is issued under the seal of CGRF.

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


(MONIKA TANEJA)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)