

**OFFICE OF ELECTRICITY OMBUDSMAN**

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)  
**B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057**  
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**Appeal No. 51/2024**

(Against the CGRF-BYPL's order dated 21.11.2024 in Complaint No.286/2024)

**IN THE MATTER OF**

**Smt. Lalita Gupta**

**Vs.**

**BSES Yamuna Power Limited**

**Present:**

Appellant: Shri Abhishek Gupta, son and Shri Neeraj Kumar, Advocate on behalf of the Appellant.

Respondent: Shri Akash Swami, Advocate, Shri Nishant Chauhan, Senior Manager and Ms Chhavi Rani, Legal Retainer, on behalf of BYPL.

Date of Hearing: 06.02.2025

Date of Order: 07.02.2025

**ORDER**

1. Appeal No.51/2024 dated 26/27.11.2024 has been filed by Smt. Lalita Gupta, W/o Shri Amar Chand Gupta, R/o 483/48, Old Seemapuri Road, Dilshad Garden, Delhi – 110095, through her advocate Shri Neeraj Kumar, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 21.11.2024 in Complaint No. 286/2024.

2. The instant case is that the Appellant had applied for numerous new electricity connections at the different floors including two shops on the ground floor of the aforesaid premises/building. Her request was rejected on the ground of MCD Objection which necessitates MCD's NOC or Completion and Occupancy Certificate. The Appellant has assailed the order of the CGRF-BYPL, and has requested for release of new connections in keeping with the provisions of Article 14 of the Constitution of India



i.e. equality before law. The CGRF, in its order, dated 21.11.2024, had noted that the Appellant had not presented the true and complete picture, and in particular the MCD booking of the premises for unauthorized construction.

3. In the meantime, the Respondent, in its written submission dated 06.01.2025, has stated that a Revocation Letter dated 04.11.2024 of MCD has been submitted by the Appellant with respect to closing of the booking file against the property, therefore, the requisite connections could be released upon verification and completion of commercial formalities. The Respondent was granted two weeks' time to file the compliance report to this office. The matter has now been taken up for hearing on 06.02.2025.

4. The Respondent, in its additional submission/status report dated 04.02.2025, submitted to this office, has mentioned that out of nine (09) electricity connections, seven (07) connections stand released on 27.01.2025 & 29.01.2025, respectively. The details are reproduced hereunder:

Order No.	Remarks/Meter NO.	Date of Energization
8007411598	Correct Floor and Self Attested Architect Certificate required	Applied connection at the Ground Floor, however, Architect Certificate for the third floor.
8007411622	Correct Floor and Self Attested Architect Certificate required	Applied connection at the Ground Floor, however, Architect Certificate for the third floor.
8007411626	36074677	29.01.2025
8007411628	36073874	27.01.2025
8007411631	36073873	27.01.2025
8007411603	36073870	27.01.2025
8007411607	36073871	27.01.2025
8007411614	36073872	27.01.2025
8007411618	36073869	27.01.2025

Onus for delay in release of two connections lay on the part of the Appellant since the applied connections were for the shops at the ground floor while the Appellant provided the Architect Certificate for the third floor.



5. In the light of the above discrepancy, the Appellant had been requested by the Respondent to provide correct Architect Certificate beside completion of all necessary formalities for release of remaining two connections.

6. During the hearing on 06.02.2025, the Appellant was represented by her son, Shri Abhishek Gupta and Shri Neeraj Kumar, Advocate and the Respondent was represented by its authorized representatives. An opportunity was given to both the parties to plead their case at length. Relevant questions were asked by the Ombudsman and Advisors, to elicit more information on the issue.

7. During the hearing, the Advocate appearing for the Appellant submitted that she had applied for nine electricity connections in the premises for various floors in the building including two shops for the ground floor. Out of nine connections, seven stood released and remaining two connections (NX category) for the shops on the ground floor had not been released, although, the Revocation letter dated 04.11.2024 of MCD objection was available on record.

8. In rebuttal, the Respondent made a reference to the updated status report/additional submission, submitted to this office through e-mail dated 06.02.2025 at 10.58 a.m., reiterating its version, as mentioned in Para 4 above. The officer present for Respondent submitted with respect to nine connections that, in the appeal, only seven request numbers have been mentioned meaning thereby total seven connections (domestic category) were applied by the Appellant instead of nine as claimed. NX category connections were not the part of the initial appeal. Further reference was made to the Inspection Report of the site in this regard. The Respondent further submitted that the incorrect architect certificate had been uploaded by the Appellant which resulted in delay in release of the two NX connections. As verbally communicated by his advocate, the correct architect certificate has been uploaded on the website by the Appellant late last evening and further action would be taken after its verification. The Appellant's son, however, indicated his ignorance in this regard.


However, it came to light that on account of the two shops in stilt parking on the Ground Floor and residential units on the First, Second & Third Floor of the building, the building had lost its status as a residential building with height beyond 15 meters, without stilt parking, the nature of the building was 'other than residential' (mix use). This necessitated Fire NOC from the Delhi Fire Service for the already released seven connections as per Rule 27 of Delhi Fire Service Rules together with DERC Supply Code, 2017. In the absence of any Fire NOC, the seven connections released become



subject of disconnection by the Respondent. To abide by the rules and regulations and to maintain the building height within the permissible limit of 17.5 meters with stilt parking, the Appellant's son volunteered to submit a request within 15 days for withdrawal of the applications of two non-domestic connections, applied for the shops at the ground floor. Moreover, he offered to make structural changes/modifications including removal of shutter from the Ground Floor in conformity with the existing rules and regulations. He also agreed that he would utilize the space only for parking for which he will apply a separate connection, as per extant regulation.

9. In view of the above submission by the Appellant, the appeal stands disposed of with a direction to the Appellant to submit a withdrawal request to the Discom within 15 days, meanwhile necessary modifications be carried out, as mentioned above, so that building would be considered for residential purposes instead 'other than residential' (mix use). Failing which, the necessary action for disconnection of seven connections be taken by the Respondent.

10 This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that the Order of Settlement of Grievance raised in the appeal is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

  
(P.K. Bhardwaj)  
Electricity Ombudsman  
07.02.2025