



C A No. Applied For
Complaint No. 370/2023

In the matter of:

Anil Kumar GuptaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Technical)
4. Mr. S.R. Khan, Member (Technical)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 19th December, 2023
Date of Order: 23rd January, 2024

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

1. The brief facts of the case giving rise to this grievance are that complainant Mr. Anil Kumar Gupta, applied for new electricity connection vide request no. 8006232749 at premises no. 3617, stall no. 1, GF, Wall of UP Roadways Bus stand, Gate No. 2, New Delhi Railway Station, Ajmeri Gate, Delhi-110006 but respondent rejected

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CGRF (BYPL)

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his application for new connection on pretext of whole structure is made up of steel and wheels available in this stall that means temporary type stall temporary structure found at site and long service line/extension of network required.

2. OP in its reply briefly submitted that the complainant is seeking new electricity connection for 3617, stall no. 1, GF, wall of UP Roadways Bus stand, Gate No. 2, New Delhi Railway Station, Ajmeri Gate, Delhi. PO further added that since January 2022 various applications were received for installation of new electricity connection under non-domestic category by the complainant and one by the father of the complainant vide application no. 8005427793, 8005728896, 8006005084, 8006382149 and 8006232749.

The present complaint is with respect to application no. 8006232749, the said application was rejected as it was found that the whole structure is made up of steel and further no electrical wiring was installed at the site. OP also added that PLA award dated 13.05.2019 has been placed on record whereby directions of restoration of electricity connection which was previously installed at site vide CA No. 100395205 was given, subject to fulfillment of condition that the complainant therein was required to furnish an affidavit for properly maintaining the safety measures and to be duly attested by the SDM. Reply further stated that MCD vide its letter no. AC/SPZ/2020/D-671 dated 17.03.2020 intimated regarding cancellation of hawking license of Mr. Anil Kumar Gupta and requested for disconnection and meter removal. In terms of the order of MCD, meter was removed. Mr. Anil Kumar Gupta again submitted hawking license and same was sent for verification in MCD on 22.02.2022. MCD rejected the said license vide letter no. DHO/CSPZ/2022/D-233 dated 12.03.2022 and requested for further action in this regard be taken.

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3. Counsel of the complainant in his rejoinder refuted the contentions of the respondent as averred in their reply and stated that the complainant is working at the applied shop since 1990. He is having FSSAI license which is valid till 11.11.2024 issued by Govt. of Delhi. He is also having vending certificate valid till November 2026 issued by NDMC. He also stated that he was using electricity through CA No. 100395202 and same was disconnected during pandemic.
4. Heard arguments of both the parties and perused the record.
5. The complaint of the complainant is release of new electricity connection vide application no. 8006232749 at stall no. 1, premise no. 3617, GF, Wall of UP Roadways Bus Stand, Gate no. 2, New Delhi Railway Station, Ajmeri Gate, Delhi-110006. OP in its reply submitted that NDMC twice has cancelled the license of the complainant. Now the complainant has again submitted a license from NDMC against which they have written mail to NDMC for verification but received no response from NDMC till date.
6. On final hearing the complainant was asked to file SDM Affidavit, which as per PLA order needs to be submitting for release of new connection. The complainant on dated 17.01.2024 submitted SDM Affidavit.
7. Since, NDMC has not given authentication of the Trade license issued by them on 30.10.2023 and the complainant has submitted affidavit from SDM therefore, we direct OP to release the new connection to the complainant considering the SDM affidavit and the trade license issued by NDMC.

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ORDER

Complaint is allowed. OP is directed to release the new connection to the complainant after completion of all the commercial formalities as per DERC Regulations 2017.


OP is also directed to file compliance report.

Case is disposed off as above.

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

Proceedings closed.


(S.R. KHAN)
MEMBER-TECH
23/01/24


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM

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(H.S. SOHAL)
MEMBER