



C A No. Applied For
Complaint No. 414/2023

In the matter of:

Chand MalikComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Agrawal, Member (Legal)
2. Mr. S.R Khan, Member (Tech.)
3. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Imran Siddiqui, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 22nd February, 2024
Date of Order: 26th February, 2024

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The present complaint has been filed by Mr. Chand Malik, against BYPL-Karawal Nagar. The brief facts of the case giving rise to this grievance are that Mr. Chand Malik applied for new two electricity connections vide request no. 8006582799 and 8006582500 at premises no.F-257 Old No-9, 5th/Floor, Right Side, Kh No-1/23, F Block, Chand Bagh, Delhi-110094.

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Secretary
CGRF (BYPL)



Complaint No. 414/2023

Complainant stated that respondent rejected the application of the complainant for new connection due to "Required Fire Clearance Certificate", but complainant alleged that last year; meter has already been installed on the same premises only his connection has been rejected. Therefore, he requested the Forum to direct the respondent for release of new connection.

2. OP in reply briefly stated that the complainant is seeking release of new two electricity connections vide request no. 8006582799 and 8006582500 at premises no.F-257 Old No-9, 5th/Floor, Right Side, Kh No-1/23, F Block, Chand Bagh, Delhi-110094. . The site was inspected and it was found the building structure consists of Ground floor +5 floors over it. It was further found that on each floor, two dwelling units exist. As the applied floor is effective sixth floor therefore, the request of the complainant was rejected for want of Fire Safety Clearance Certificate from the concerned department or a Building Completion Certificate (BCC) in lieu thereof.

OP further added that the complainant had submitted a Building Completion Certificate (BCC) via e-mail. However, the said BCC is prepared by an Architect Nupur Sharma bearing Reg. No. CA/2018/104118 which is shown as active on the portal of MCD. The date of birth of the Architect is 07.01.1991 having address of Greater Noida. Besides the same there is another information available at MCD portal in respect of same architect Nupur Sharma with registration no.

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2 of 4

Complaint No. 414/2023

CA/2018/04118 which is shown as disabled w.e.f. 02.02.2022. The date of birth said architect is 10.01.1995 having address of Haryana. All other information mobile no. and E-mail id are same.

As per said form the applicant undertakes to submit fire certificate in case height of building is more than 15 meters. The electricity connection of the complainant for the 5th floor which is effective 6th floor can be released subject to furnishing of the Fire Safety Clearance certificate or a BCC issued by the MCD approved architect and upon clearance of all the outstanding dues.

3. Counsel of the Complainant files his rejoinder to this reply, it is submitted that complaint has complied all the formalities of new connection and has also submitted BCC issued MCD approved architect and several connections has been released by OP on the basis of BCC issued by same architect.
4. On the final hearing 22.02.2024, counsel of the complainant submitted bill payment receipt. OP stated that the connection would be released accordingly.
5. In view of the above we are of considered opinion that the grievance of the complainant was for release of new connection and OP has issued the demand note and would install the meter at the earliest.

3 of 4

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Complaint No. 414/2023


6. In the facts and circumstances aforesaid, we are of the view that the respondent may be directed to provide the connections ~~with the connection~~ with the condition that at the time of release of new connection the complainant should file an affidavit that if in future MCD takes any action against the property of the complainant then OP should be at liberty to disconnect the supply of the complainant.

Since the grievance of the complainant has been redressed by OP, and no issue remains unresolved. The forum closes the case as above.

The case is disposed off as above. No order as to the cost. Both the parties should be informed accordingly.


(H.S.SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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

4 of 4

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