



CA No. Applied For
Complaint No. 330/2023

In the matter of:

Danish & Gul MohammadComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Imran Siddqui, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 23rd November, 2023

Date of Order: 28th November, 2023

Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)

1. This complaint has been filed by Mr. Danish & Gul Mohammad, stating that they applied for new electricity connection vide request no. 8002420683, 8006420689, 8006420679, 8006420699, 8006456218, 8006452535, 8006452579, 8006452566, 800640054 & 8006460060 at premises no. 2210, chitli qabar, Jama Masjid, Delhi-110006, but respondent rejected the applications of the complainant for new connection on the pretext of MCD objection.

Attested True Copy

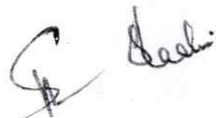
Secretary
CGRF (BYPL)

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2. On notice, OP by filing its reply stated that the complainant is seeking ten fresh electricity connections on various floors claimed to be second, third and fourth floors of property bearing no. 2210, Bazar Chitli Qabar, Jama Masjid, Delhi-110006 and same were rejected as address was found in MCD objection list for unauthorized construction, fire safety certificate requirement, building status as G+5, commercial building with NX meter on first floor, outstanding dues and mismatch of floor. MCD objection is in the form of deviation/excess coverage against SBP I.D. No. 10069585 date 08.11.2019 at stilt, ground, first, second and third floor and entire unauthorized construction at part fourth floor. The booked premises are mentioned at serial no. 23 of the list bearing no. 88/87-N/B-II/UC/CSPZ/2022 dated 25.04.2022, therefore, new connection can't be granted unless the Building completion Certificate (BCC) or an NOC in lieu thereof is submitted by the complainant. There are outstanding dues of CA no. 100410104, 100277503, 100282658, 100205686 and 100291600, which the complainant has to clear before release of new connections.
3. On 19.09.2023, the required BCC along with copy of sanctioned building plan was submitted by the complainant. OP was allowed to verify the same with MCD department. In addition both the parties were directed to conduct joint visit vide order dated 05.10.2023. Accordingly, joint inspection took place on 10.10.2023. As per the joint inspection applied building is Ground plus five floors and the building is (mix land). Multiple meters are installed on the ground floor and first and one each on second and third floor. No meter found at the applied portions.

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4. As per OP despite its mail dated 26.09.2023, there was no reply on behalf of MCD. However, OP stated that the Architect Ms. Nupur Verma, license no. CA/2018/04118 is showing inactive on MCD site and as per circulated list to BSES through MCD department Nupur Verma is banned, therefore the Sanctioned Building Map and Building Completion Certificate submitted by the complainant cannot be considered for release of new connections to the complainant. To this objection complainant clarified that the BCC submitted is of a new license issued to the said Architect, which is found acceptable and in pursuance reports of said Architect under new license number, OP has released many new connections which is also confirmed by the OP.
5. On the basis of above facts and circumstances OP's objection of Nupur Sharma Architect's eligibility to issue BCC no more survives. Hence, the BCC and Sanctioned Map as submitted by the complainant is legally valid and enforceable. In presence whereof deficiency of MCD objection raised by OP is satisfied by the complainant. Regarding outstanding dues, going through the bills placed on record by the OP, it is transpired that CA No-100410104, CA No- 100291600 and CA No- 100205686 are installed at First Floor, Ground Floor and Ground Floor respectively. Hence complainant is not liable to pay outstanding of these bills as he has sought connections on second, third and fourth Floors. So far as other outstandings are concerned the respective bills show no floors. Presuming that these Bills may be belonging to the entire building, it becomes complainant's liability to pay the same proportionately along with





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other connection holders, which as per Revisit Report of OP itself are 15 in numbers.

ORDER


Complaint is allowed with the directions to the complainant to pay the outstanding of CA No- 100277503, 100282658 on pro-rata basis to the OP with further directions to the OP to release the new connections vide request no. 8002420683, 8006420689, 8006420679, 8006420699, 8006456218, 8006452535, 8006452579, 8006452566, 800640054 & 8006460060 at different Floors of premises no. 2210, chitli qabar, Jama Masjid, Delhi-110006 after receiving the said pro-rata amount .


No order as to cost.

Compliance report within 21 days of receipt of this order be filed by the OP in this Forum.

File be consigned to Record Room.


(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


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


(P.K. SINGH)
CHAIRMAN