



C A No. Applied For
Complaint No. 311/2023

In the matter of:

Hidayat AlamComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Nishat A Alvi, Member (CRM)
2. Mr. P.K. Agrawal, Member (Legal)
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: 26th October, 2023
Date of Order: 17th November, 2023

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

1. This complaint has been filed by Mr. Hidayat Alam, stating that he applied for new electricity connection vide request no. 8006437274 at premises no. 271-D, GF, Khureji Khas, Delhi-110051, but respondent rejected the application of the complainant for new connection without mentioning any proper reason.

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Secretary
CGRF (BYPL)




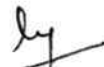
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2. On notice, OP by filing its reply stated that the complainant is seeking fresh electricity connection for non-domestic purpose on the Ground Floor of the property bearing no. 271-D, Khureji Khas, Delhi-110051 vide request no. 8006437274 and on 21.07.2023 same was rejected as premises was found electrified through temporary connection. The site of the complainant was re-visited in August 2023 and it was found that temporary structure still existed at site wherein permanent connection was sought and the distance between the nearest pole and the said premises was approximately 100 meters. OP further added that in front of the gate of Khureji Khas Kabristan to main road (behind petrol pump) 4 numbers of temporary structures exists where building materials (cement, rori, badarpur, wooden stick) are kept and in one of the structures, E-rikshaws were found for charging. All the said four structures have same address i.e. D-271, Khurjei Khas. Further all the structures are electrified and details are as under:-

S.No.	Meter No	Date of energization	Registered consumer	Address
1	35640449	15.10.2020	Asgar Ali, s/o Sh. Ali Hassan	GF 271-D/1, Khureji Khas Temporary
2	35811701	21.04.2023	Raj Bahadur Maurya s/o Ram Sumer Maurya	GF, 271-D, Khurjei Khas
3	55362380	11.01.2021	Mohd Yamin S/o Nizamuddin	GF, Temp. 271-D, Khureji Khas
4	35818051	16.05.2023	Mohd Aasif s/o Mohd Haroon	GF, 271-D, Khurji Khas

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

   

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All the four connections were processed on the basis of ownership documents. On comparison it was found that all the four set of ownership documents have different property chain. The present complaint is in respect of premises wherein temporary connection exists in the name of Raj Bahadur. Complainant is seeking connection on the basis of NOC issued by Raj Bahadur in whose favour GPA was executed on 12.12.2022 by Sh. Riyasat Ali father of the complainant.

It is also submitted that Sh. Raj Bahadur filed a complaint before this Forum vide CG No. 166/2023, where permanent connection was sought where already temporary connection exists since 21.04.2023.. The said complaint was withdrawn and it was made clear by OP on account of temporary structure only temporary connection can be granted. Also, on account of the fact that only temporary structure exists at site and that long service line is needed, Op can only provide temporary connection which it has already granted.

3. In rejoinder to OP's reply complainant states that OP has raised two grounds for rejection of new permanent connection first ground is existence of temporary connection in the applied premises. To this effect the complainant undertakes to surrender the existing connection in case OP is ready to release permanent connection for charging of e-rickshaw as applied for. Second objection of OP is that the structure of the complainant premise is temporary which is not correct as permanent structure exist on the site and to show the same photographs of the premise are attached.

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4. In support their contentions both the parties placed on record their respective documents.
5. Heard and pursued the record. As per record, OP rejected the application of complainant providing deficiency letter. As per deficiency letter there is existence of connection. Hence new connection can't be given. However, in reply OP has pleaded one more ground for rejection of applied connection, Stating that since the structure, the connection in sought on, is of temporary nature, permanent connection can't be given. Going through the rejoinder we find that complainant undertakes to surrender the temporary connection, if OP releases him new permanent connection further affirming that this structure is of permanent nature and not a temporary one as alleged by OP. In support whereof complainant has placed on record photographs of the site showing permanent structure, beside offering for joint inspection prior to release permanent connection.
6. Consequently the complainant is ready and willing to remove deficiency in granting permanent connections applied for, in the said premises by surrendering his existing temporary connection and satisfying to OP by way of joint inspection that the construction is of a permanent nature and not temporary as alleged by the OP.
7. On the request of the complainant, site visit was conducted on 09.11.2023 and OP submitted site visit report on dated 16.11.2023 stating therein that there is one room (office), kitchen and bathroom exists permanent structure. Two room godown exist of cemented shed, structure which is use for cement godown, commercial activity (rodi, Badarpur, Cement), service cable length from the pole is near about 80 meter.

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[Handwritten signatures]

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8. Now as per inspection report the structure is no more a temporary structure but a permanent one. Thus OP's objection of temporary structure goes. Therefore, if the temporary connection as existing in the applied is disconnected there is no hurdle in grant of permanent connection therein.

ORDER


Complaint is allowed with the terms that complainant shall surrender the temporary connection vide CA No 35811701, without any objection of the OP for the same, with the directions of the OP to release the permanent connection applied for in Ground floor of premises no. 271-D, Khureji Khas, Delhi-110051.

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. AGRAWAL)
MEMBER (LEGAL)

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