

C G R F



B Y P L

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act, 200
Sub-Station Building BSES (YPL) Regd. Office Karkardoom,
Shahdara, Delhi-11003
Phone: 32978140 Fax: 2238488
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08NK

CA No. Applied for
Complaint No. 357/2023

In the matter of:

Mala DeviComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Gagan Sharma, Ms. Shweta Chaudhary & Ms. Chhavi Rani, On behalf of BYPL

ORDER


Date of Hearing: 21st December, 2023

Date of Order: 12th January, 2024

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. This complaint has been filed by Ms. Mala Devi against BYPL-NNG.
2. The brief facts of the case giving rise to this grievance are that Ms. Mala Devi is using electricity through CA No. 150749886, installed at premises no. A-288-A/1, Ground Floor, Kh. No. 299, 310 & 492, Gali No. 7, Harijan

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CGRF (BYPL)

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
Basti, Mandoli Extension, near Samsan Ghat, Delhi-110093. She applied for load enhancement and change of meter from single phase to three phase but respondent rejected her application for load enhancement on pretext of transformer over loaded.

3. OP in its reply briefly stated that the complainant has previously approached this Hon'ble Forum and the Hon'ble Ombudsman with respect to the same subject matter. However, until ESS space is provided by the complainant, no augmentation is possible at the subject locality. OP further added that complainant is seeking load enhancement from 10 KVA to 15 KVA in respect of electricity connection bearing CA No. 150749886 installed at the Ground Floor of A-288-A/1, Khasra No. 299, 310 & 492, Gali No. 7, Harijan Basti, Mandoli Extension, Near Samsan Ghat and applied for load enhancement vide application no. 8006457118.
4. During the proceedings it was revealed that the complainant had filed a complaint no. 23/2020, in this respect before this Forum. It was decided by this Forum on 11.08.2020 that due to technical feasibility single phase connection of the complainant cannot be converted into three phase. It was also ordered that if complainant provides space for three phase line and transformer, as per Section 22 of DERC Guidelines 2017, then the connection may be converted into three phase supply by the respondent.
5. Against the aforesaid order dated 11.08.2020 in complaint no. 23/2020, the complainant filed an appeal with the Ombudsman and the appeal was decided on 26.11.2020. The Ombudsman in its appellate order, upheld the order of CGRF(BYPL). According to the order, due to the

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issue of technical feasibility, the single phase connection of the complainant cannot be converted into three phase. However, the DISCOM was directed that it should take further necessary action and pursue the matter at appropriate level to get the space allocated for installation of sub-station/transformer and the connected network from the concerned agencies in accordance with Regulation 17 (7), 11 & 22 of DERC Regulations 2017.

1. The OP has not provided any report or reply on the action taken in pursuance to the Ombudsman order dated 26.11.2020. Due to inaction on the part of OP, the complainant had to approach again through the present complaint. It is very serious that the genuine problem of the complainant could not be resolved during past four years.
2. This matter has already been decided by this Forum and Hon'ble Ombudsman. As per DELHI ELECTRICITY REGULATORY COMMISSION (Forum for Redressal of Grievances of the Consumers and Ombudsman) REGULATIONS, 2018, sub-regulation 13. Limitation of Jurisdiction of the Forum (1) The Forum shall not entertain a grievance if it pertains to the same subject matter for which any proceedings before any court, authority or any other Forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum. Therefore, this Forum shall not entertain the present complaint afresh, and the complaint is dismissed in view of the aforesaid rule.

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3. On examination of the complaint, the reply of OP and relevant documents, it can be seen that the OP has miserably failed to comply with the orders of Ombudsman dated 26.11.2020. In view of this failure, we are of considered opinion, that this matter be referred to the Ombudsman for taking further action as deemed fit.

4. All the parties should be informed accordingly.


(S.R. KHAN)
MEMBER-TECH


(P K SINGH)
CHAIRMAN


(P.K.AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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