



C A No. Applied For  
Complaint No. 446/2023

In the matter of:

Meena .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad 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. Imran Siddiqui, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

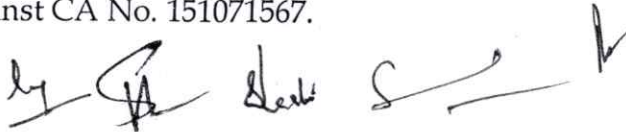
ORDER

Date of Hearing: 13<sup>th</sup> February, 2024  
Date of Order: 15<sup>th</sup> February, 2024

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

1. This complaint has been filed by Smt. Meena against BYPL-Laxmi Nagar. The brief facts of the case giving rise to this grievance are that complainant Smt. Meena applied for name change vide request no. 8006627187 against CA No. 151071567 installed at premises no. J-4, J-extension, Laxmi Nagar, Delhi-110092, which OP rejected on ground of dues at site against CA No. 151071567.

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2. The respondent in reply briefly stated that the complainant is seeking change of name in respect of CA No. 151071567 which is currently registered in the name of Sh. Abdul Rashid and registered for property bearing no. J-4, J-extension, Laxmi Nagar, Delhi-110092, vide request no. 8006627187. The complainant applied for name change in her capacity as the GPA holder of the subject premises. However, the request of the complainant was rejected due to the existence of outstanding dues of multiple electricity connections pertaining to other connections of the subject premises. The site of the complainant was visited and it was found that the building structure is ground and three floors over it. The name change is applied for the connection installed on the ground floor.
3. Counsel of the complainant in rejoinder refuted the contentions of OP as averred in their reply and stated that the complainant applied for name change of CA no. 151071567 from Sh. Abdul Rashid to her name; however same was rejected by the respondent on pretext of pending dues, which does not pertain to the complainant's connection. He also submitted that this forum in C.G. No. 70/2023 titled as Manju Vs BYPL has ordered, 'that the complainant is liable to pay the pending dues of Ms. Manju, if any. The dues of other portions as asked by the respondent should not be asked from the complainant for payment of dues of his portion only, which he has purchased from Ms. Manju.
4. Heard both the parties and perused the record at length.
5. The main issue is whether the name change as applied by the complainant can be made effective when there are pending dues on other portion of the said building.

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by  

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6. As far as legal position is confirmed according to DERC (Supply Code and Performance Standards) Regulations, 2017, Sub-Regulation 17

17. Existing connections:-

(1) Transfer of connection

(i) If any applicant wants transfer of connection due to any reason such as change of consumer's name due to change in ownership or occupancy of property, transfer to legal heir, etc. he shall apply to the Licensee in the prescribed format as notified in the Commission's Orders.

(ii) Any deficiency in the application shall be intimated in writing. The application shall be accepted only on removal of such deficiencies.

(iii) The request for transfer of connection shall not be accepted unless all recoverable dues in respect of the concerned connection are fully paid: Provided that once connection is transferred, no dues / arrears shall be recovered from the new consumer.

7. As per the above stated Regulation, it is clearly mentioned that all the recoverable dues in respect of the concerned connection are fully paid. Here the concerned connection is CA no. 151071567, against which the complainant has sought name change. Therefore, the complainant is liable to clear the dues of this connection only, if any. Other dues as demanded by OP are not payable by the complainant.

8. Accordingly, the complaint is allowed. The respondent should ask the complainant for payment of dues of his portion only.

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ORDER

The complaint is allowed. OP is directed to change the name of the complainant as per DERC Regulations 2017 and without asking for payment of dues of other premises, apart from the dues of her portion.

OP is also directed to file compliance report to forum within 21 days from the date of this order.

Case is disposed off as above.

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

(P K SINGH)  
CHAIRMAN

(S.R. KHAN)  
MEMBER-TECH

(NISHAT AHMAD ALVI)  
MEMBER-CRM

(P.K.AGRAWAL)  
MEMBER-LEGAL

(H.S. SOHAL)  
MEMBER

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