



Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act, 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma

Shahdara, Delhi-11003

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SECY/CHN 015/08NI

C A No. Applied For Complaint No. 267/2023

In the matter of:

Amit Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

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. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Mr. R.S. Bisht, On behalf of BYPL

ORDER

Date of Hearing: 28th November, 2023

Date of Order: 04th December, 2023

Order Pronounced By:- Mr. S.R. Khan, Member (Technical) .

1. The brief facts of the case giving rise to this grievance are that complainant Mr. Amit Kumar, applied for new electricity connection vide request no. 8006159429 at premises no.7, GF, Kh. No. 120 village Mandoli, Delhi 0110093 but respondent rejected his application for new connection on pretext of EDMC verification required AO/FL/EDMC/2018/D-86 and Kh. Dues verification required against CA No. 100064823, 500005584, 101573444, 100044846, 101586459, 151250889 and 152755819.

Complaint No. 267/2023

2. OP in its reply briefly submitted that the complainant is seeking fresh electricity connection for ground floor of property bearing no. 7, Kh. No. 120, village Mandoli, Delhi-110093. The complainant applied for new electricity connection for non-domestic purposes for 2 KW vide order no 8006159429 wherein deficiency letter was issued on account of outstanding dues and for want of trade license.

OP further added that to verify the outstanding dues complainant was asked to submit back chain of property documents. Earlier complainant's property was booked under polluting unit and was sealed. Complainant submitted de-sealing letter filed by him at page 5 of the paper book wherein it is specifically mentioned that complainant "**will not carry out any trade without valid municipal license in future.....property be not used for industrial/commercial purpose without valid Municipal License/permission**".

New connection under non-domestic purpose cannot be granted till trade license/DPCC is duly submitted by the complainant. Regarding outstanding dues, on the second application for industrial connection bearing no. 8006228764 dated 21.03.2023 joint visit along with division filed executive was carried out on 25.04.2023 as complainant had submitted the back chain of ownership documents. On joint visit no dues against CA no. 100064823, 500005584, 101573444, 100044846, 101586459, 1512250889 and 152755819 were found to be remarks to this effect could not be updated in rejected letter as application gout auto cancelled.

Thus the only objection remains is want of requisite permission from MCD to use the subject premises for commercial/industrial purpose.

Complaint No. 267/2023

3. The counsel of the complainant in its rejoinder rebutted the contentions of OP as averred in their reply and reiterated his original complaint. It was also submitted that he has applied for new connection only for scrap office purpose; therefore there is no requirement of trade license. Also, the pending energy dues which are asked from him by OP do not pertain to his premise. Khasra No. 120 is huge area and many more has been released in the said Khasra.
4. During the hearing the counsel of the complainant submitted DPCC certificate, which is taken on record. OP pressed for trade license also. To this the counsel of the complainant stated that he want new electricity connection only scrap office purpose, thus there is no requirement for trade license.
5. In view of the above, we are of considered opinion that letter from MCD letter no. AC/SH/N/2022/D-1051 dated 27.12.2022 clearly mentioned that "the premises in consideration will not be misuse in future in violation of MPD 2021 and DMC Act 1957 as amended from time to time and will not carry out any trade without valid Municipal License in Future. If any illegal activity is detected in the same premises, the fine amount will be 2 times and 3 times for second and third instances, if the misuse still persists, the matter can be referred for initiating criminal proceedings against you."
6. Therefore, we are of considered opinion that since Municipal Corporation of Delhi has clearly mentioned that the complainant should not carry out any trade without valid Municipal License, thus, for release of new electricity connection the complainant has to file the required document.

Complaint No. 267/2023

ORDER

Respondent is directed to release the new connection to the complainant after filing of valid trade license or Municipal License and fulfillment of all the other commercial formalities as per DERC Guidelines 2017.

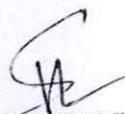
OP is also directed to file compliance report within 21 days from the date of this order.

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

Proceedings closed.


(H.S. SOHAL)
MEMBER


(NISHAT A ALVI)
MEMBER (CRM)


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


(P.K. SINGH)
CHAIRMAN

4 of 4