

C G R F



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-110032

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SECRETARY

C A No. Applied For
Complaint No. 76/2024

In the matter of:

Dinesh Mahajan

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A 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 Ul Haq Siddiqi, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 04th July, 2024

Date of Order: 09th July, 2024

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

1. The present complaint has been filed by Mr. Dinesh Mahajan against BYPL-Paharganj. The brief facts of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. 8006644818 at premises no. XIII/16, GF, Hathi Khana, Bahadurgarh Road, Delhi-110006, but respondent

Attested True Copy

Secretary
CGRF (BYPL)

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rejected the application of the complainant for new connection on the pretext of "address appearing in MCD objection list".

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking fresh electricity connection for the ground floor of premises bearing no. XIII/16, Hathi Khana, Bahadurgarh Road, Delhi-110006. The complainant applied for new connection vide application no. 8006644818 and deficiency letter was issued for the reason that applied address was found in MCD objection list both for unauthorized construction as well as in respect of relocation and sealing. The subject property is mentioned at sl. no. 14 of MCD objection listed no. 736/SE/CSPZ/2018 dated 28.11.2018 and as per said list unauthorized construction is in the shape of GE, FE and SE with projection on Municipal Land.

Reply further added that MCD objection of relocation and sealing mail has been received from Nodal Office (CN) and Nodal office (NE) wherein subject property is mentioned at sl. no. 235. Thus as the present area is non-confirming area as such no commercial connection can be granted without DPCC or any other documents whereby MCD/concerned authority/concerned department authorizes running of commercial unit in non-confirming area.

Regarding the existing connections OP stated that said connections were granted in September 2022 on submission of Building Completion Certificate (BCC) along with MAP(Ground floor + four + one room on fifth floor) and undertaking for usage of connection for domestic purpose at site.

The building completion certificate dated 03.09.2022 was issued by Architect Jyoti Veerwal who stands debarred for one year as per the list available on the portal of MCD.

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Reply further added that in case this Forum is of the view that Building Completion Certificate (BCC) is not needed then the complainant has to provide certificate regarding unit/commercial activity being non-polluting and that it can be carried out in non-confirming area.

3. Counsel of the complainant in its rejoinder submitted that his building was completely demolished and newly built in the year 2018, which is evident from the fact that MCD booking was done in 2018 for unauthorized construction. Thereafter, the complainant got several connections released from OP on submission of Building Completion Certificate in the year 2022; hence, there is no need to file DPCC for running a shop.

Complainant alongwith rejoinder also filed trade license from MCD which is duly verified by OP.

4. During the course of hearing on dated 04.07.2024, both the parties came to conclusion that the complainant is required to file an affidavit undertaking therein that no polluting work will be carried out at the subject site and the connection will be liable for disconnection if in future the complainant or the user of such connection is found carrying out any polluting work at site. Counsel of the complainant agreed to file the same.
5. In view of the above, we could not find any reason to reject the application of the complainant for new connection.



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ORDER

The complaint is allowed with direction to OP to release the new connection as applied for by the complainant after submission above said undertaking/affidavit by the complainant in the respective division office of OP and completion of other commercial formalities as per DERC Regulations 2017.

OP should also file compliance report within 21 days from the date of this order.

The case is disposed off as above.

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


(S.R. KHAN)
MEMBER-TECH


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER