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B Y P L

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

Phone: 32978140 Fax: 22384886

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C A No. Applied For
Complaint No. 199/2024

In the matter of:

GulistaComplainant

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 (Tech.)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S Bisht, Ms. Seema Rawat & Ms. Chhavi Rani, on behalf of respondent

ORDER

Date of Hearing: 18th July, 2024

Date of Order: 30th July, 2024

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

1. The complaint has been filed by Gulista against BYPL-Nand Nagri. The brief facts of the case giving rise to this grievance are that Gulista applied for new electricity connections vide request no. 8006841055, 8006850300, 8006850290, 8006841046, 8006841059, 8006841063, 8006841069, 8006841077, 800685017, 8006850300 and 8006850290 at premises no. 1156-A/E, Kh No-396, Gali No.-2, Hari Om Gali.

Attested True Copy

[Signature]
Secretary
CGRF (BYPL)

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Babarpur, Delhi- 110032, but respondent rejected the application of the complainant for new connection due to EDMC objection, MRO required, site building floor structure and BCC map found mismatch and registration certificate is also expired but complainant stated that her connections request has been declined on false grounds. Therefore she requested the forum to direct the respondent for release of new connection.

2. OP in its reply briefly stated that the complainant is seeking new electricity connections for various floors of the property bearing no. 1156-A/E, Khasra no. 396, Hari Om Gali No. 2, Babar Pur, Delhi. It is submitted that the connections are applied in the name of the complainant, Ms. Asha Rani, Ms. Minakshi Sharma and Ms. Sangeeta, however the complaint and the authority letter are only signed by the complainant. The details of the applied connections is mentioned below:-

S.No.	Request No.	Applicants Name	Floor
1.	8006850290	Asha Rani	G/F
2.	8006850300	Minakshi Sharma	G/F
3.	8006850317	Sangeeta	G/F
4.	8006841046	Gulista	F/F, R/S
5.	8006841055	Gulista	F/F, L/S
6.	8006841059	Gulista	S/F
7.	8006841063	Gulista	T/F
8.	8006841069	Gulista	IV, R/S
9.	8006841077	Gulista	IV, L/S

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Reply further states that at the time of site inspection, it was found that the building structure consists of GF and four floors over it. Thus the above mentioned applications were rejected on account of MCD objection. The subject premises were found booked by the MCD for unauthorized construction. The subject property is mentioned at serial no 40 of list bearing no EE(B)-II/SH N/2015/D-279 list dated 26.05.2015 and at serial no 16 of the list bearing no. EE(B)-II/SH-N/2015/D-940 dated 18.09.2015.

Reply also submitted that the applicant had submitted a BCC bearing Id no. 10116540 dated 18.07.2023. However as per as the site visit the building structure is G+4 whereas the structure mentioned in the map is stilt + GF+ Three Floor. As per the site situation, no stilt parking exists. Therefore there is as apparent mismatch in the existing building structure and approved map building completion certificate.

It is further added that the Architect Mr. Krishan, who has made the site map is already debarred by MCD and registered certificate also stands expired as on 31.12.2023.

3. In response to the reply the complainant filed rejoinder reiterating therein his original complaint. Rejoinder further stated that the MCD objection list mentioned is of the year 2015 and against the MCD objection they have submitted BCC by MCD dated 18.07.2023. It is also submitted that as per Map of EDMC the building structure is stilt parking + Ground floor + three floors total five floors and BSES is also showing building structure as ground + four floors over it.

Rejoinder further added that the Architect Krishan was debarred by MCD on 31.12.2023 and the BCC issued by him for the premise of the complainant is of date 28.07.2023.

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She also stated that for the mismatch of the floors in the applications for new connection, she is ready to file an affidavit in this regard.

4. Complainant submitted her additional submissions, in which she stated that she has purchased property in question from Smt. Sunita Thakur on 24.07.2023 and Smt. Sunita Thakur obtained BCC from MCD on 18.07.2023, therefore, the BCC is containing the name of Smt. Sunita Thakur.

She also stated that the Architect Sh. Krishan was debarred on 31.10.2023, whereas the BCC issued to the complainant is of dated 18.07.2023, which is very much a valid document. MCD in its order dated 31.10.2023 has debarred Architect Sh. Krishan for three year from the panel of Municipal Corporation of Delhi, but the order of MCD has not mentioned anything about the already issued Building Completion Certificate by the said Architect.

Regarding the Floor mismatch, the complainant has filed an affidavit correcting therein the floors as applied for new connections.

5. In the facts and circumstances aforesaid, we are of the view that the OP has failed to submit any conclusive and authentic proof that the said premises at present is booked by MCD. There is no order regarding Architect Certificate already issued by the Architect before he was debarred.

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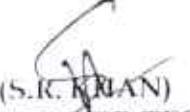
ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and after giving the undertaking regarding, whenever MCD in future take any action, OP is free to disconnect the new electricity connection.

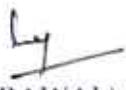
OP is further directed to file compliance report within 21 days from the date of this order.

The case is disposed off as above.

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


(S.R. KHAN)
MEMBER-TECH


(P.K.SINGH)
CHAIRMAN


(P.K.AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER