

C A No. Applied for
Complaint No. 269/2024

In the matter of:

Gurjeet KaurComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Ms. Chhavi Rani, on behalf of respondent

OKDER

Date of Hearing: 08th August, 2024

Date of Order: 13th August, 2024

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection at premises no. 6/94, First Floor, Kh. No.-188, Karkar Road, Vishwas Nagar Delhi-110032, vide request no. 8006913556. The application of complainant was rejected by OP on the pretext of Removal of Same Site EDMC Polluting unit.

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2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking for new non-domestic connection at premises no. 6/94, First Floor, Kh. No.-188, Karkari Road, Vishwas Nagar, Delhi-110032, vide request no. 8006913556. The application of the new connection was rejected on account of applied premises is booked by MCD for polluting unit.

That upon inspection of such premises it was discovered that applied Premises is build up in the form of Ground Floor, Mezzanine Floor & First Floor and it was discovered that at present there exist one NX meter and one DX Meter at site for Ground Floor. The applied site was re-visited by the officials of OP and as per owner applied premise is booked for polluting unit and for release of new electricity connection the complainant has to clear the objections of OP.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that it is clearly written in the re-inspection report that no polluting unit was found at the time of inspection. In the rejection letter given by respondent, only the objection of EDMC pollution was recorded and no valid document has been given for this by OP. Complainant stated that the premise is to be used for warehouse. The above things are being said by respondent only to spread confusion, respondent has already granted us CA No. 153543617 on dated 01.01.2021, this makes it clear that all the objection of respondent is baseless.
4. A site visit report dated 20.05.2024 is placed on record by OP which states that at the time of visit no any polluting activity exist at applied building.

Attested True Copy
Signature
Secretary

Attested True Copy

Secretary
CGRF (BYPL)

Signature

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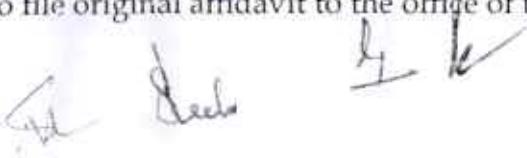
5. Heard arguments of both the parties were heard at length.
6. Considering the site visit report placed on record by OP and also that the OP has not placed any list of MCD booking under polluting unit. OP has only placed on record excel sheet maintained by them, we are of considered opinion that in absence of proper MCD list and version of OP's official in site visit report clearly states that no polluting unit found at site, the complainant is liable to get new electricity connection released in his name.
7. From the narration of facts and material placed before us we came to the conclusior that the complainant is required to submit an undertaking 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.
8. In view of the above, we could not find any reason to reject the application of the complainant for new connection.

ORDER

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

Attested True Copy

Secretary
CGRF (BYPL)



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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.

(P.K.SINGH)
CHAIRMAN

(S.R. KHAN)
MEMBER-TECH

(P.K.AGRAWAL)
MEMBER-LEGAL

(NISHAT AHMAD ALVI)
MEMBER-CRM

(H.S. SOHAL)
MEMBER

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Secretary
CGRF (BYPL)