

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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SECY/CHN 015/08NKS

C A No. Applied For
Complaint No. 114/2023

In the matter of:

Hanifa KhatoonComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Nishat A Alvi, Member (CRM)
2. Mr. P.K. Agrawal, Member (Legal)
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, Mr. Ravi Tiwari & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 08th June, 2023

Date of Order: 14th June, 2023

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Sree
Secretary
CGRF (BYPL)

Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)

1. Present complaint has been filed by Ms. Hanifa Khatoon, against BYPL- DRG.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Hanifa Khatoon, applied for new electric connection vide order no. 8006142927 at premises no. 2211, GF, Aqab Kalan, Masjid

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Gali, Shankar Sita Ram Bazar, Delhi-110006, but respondent rejected his application for new connection on the pretext of connection already exists.

3. The OP in their reply briefly stated that the complainant is seeking fresh electricity connection for commercial purpose for a shop at ground floor of property bearing no. 2211 (new) 1426A (Old), Shankar Gali, Sitaram Bazar, Delhi. OP further added that at ground floor of the subjected property there are three shops and three electricity connections already exists vide CA No. 100295817, 153691718 and 153691719. As no floor is mentioned in respect of connection no. 100295817 which is for domestic purposes and was energized on 08.01.1997 as such said connection is taken to be granted for ground floor.

OP further added that on ground floor only three shops exists; no domestic activity was found at ground floor. Thus, the request of complainant for new connection was rejected as the said shop is already electrified through CA No. 100295817. The said connection is used for commercial purpose; the complainant is advised to get the tariff category changed from domestic to commercial.

4. The counsel of the complainant rebutted the contentions of the OP as averred in their reply and submitted that there is no connection energized on the ground floor and there are three shops and domestic connection is being used at the other floor of the premises. His shop has no electric connection.



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5. LR of the OP submitted that already there are three connections on the ground floor one under domestic category in the name of Trilok Nath Gandhi, and other two connections in the name of Mohd Aslam under commercial category. The connection in the name of Trilok Nath Gandhi has no floor mentioned in the address thus it is taken to be granted for ground floor.
6. As far as legal position is concerned according to DERC (Supply Code and Performance Standards) Regulations 2017, Rule 10 (1) New and Existing Connections:- (1) General:-
 - (v) On the request of applicant, an independent electric connection shall be given to the owner/lawful occupant on each floor of the premises.
 - (vi) Wherever, one dwelling unit has been sub-divided and separate kitchen as well as separate entry is available, second electric connection may be given to the lawful occupant.
7. From the narration of facts and material placed before us we are of considered opinion that the complainant applied for new non-domestic connection at his shop at ground floor of premises no. 2211(new) 1426A (old) Shankar gali, Sitaram Bazar, Delhi. According to the registered sale deed placed on record Haneefa Khatoon (the complainant) purchased the said shop from Mohd Asim Khan and Mohd Fahim Khan on 24.09.2021. The said sale deed is only for 65 sq meter area without roof rights.
OP objected that already a domestic connection is installed in the name of Trilok Nath Gandhi. The said connection was energized in the year 1971, its an old connection and cannot be ascertained when it was energized.



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OP failed to provide any details, regarding when the connection has been energized or where it is supplying electricity. OP in their reply submitted that since no floor is mentioned they take it for granted that said connection is energized on ground floor only. It is only presumption of OP, therefore, we are of the opinion that the new connection cannot be denied to the complainant as he has applied for non-domestic connection.

ORDER

Complaint is allowed. Respondent is directed to release the new connection to the complainant after completion of all the commercial formalities.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.

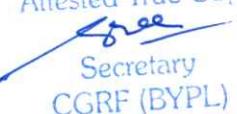

(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH)

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