

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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SECY/CHN 015/08NKS

C A No. Applied For
Complaint No. 117/2022

In the matter of:

Mubarak UmarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Ompal Singh, Counsel of the complainant
2. Mr. Imran Siddiqi, Ms. Shweta Chaudhary & Mr. Shubham Singh, On behalf of BYPL

ORDER

Date of Hearing: 03rd November, 2022

Date of Order: 09th November, 2022

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

1. This complaint has been filed by Mubarak Umar against BYPL-PHG.
2. The brief facts of the case giving rise to this grievance are that complainant Mubarak Umar applied for two new electricity connections

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vide request no. 8005229379 & 8005230528 dated 28.10.21 at house no. 7509, Third floor, Gali Godhni wali, Quresh Nagar, Sadar Bazar, Delhi-110005. He further stated that he submitted all the required documents and despite fulfilling all the formalities, respondent has not released the new connection till date and issued him illegal demand without any documentary proof.

3. The respondent in reply briefly stated that the complainant applied for new electricity connections vide application no. 8005229379 and 8005712582 on 14.10.22 at 7509, 3rd floor, Gali Godhu Wali, Quresh Nagar, Paharganj, Delhi-110006. On site verification respondent found that enforcement and energy dues are outstanding against the premises. The said energy dues were in respect of CA No. 100470303, Rs. 7360/- CA No. 1004588308 Rs. 8850/-, CA No. 100370958 Rs. 3540/- and CA no. 100387659 Rs. 1310/- and enforcement dues against CA no. 400016593 Rs. 50253/- are also found pending.

Respondent further added that as per Regulation 10 & 11 of DERC (Supply code and Performance Standards) Regulations 2017 pertains to the grant of new electricity connection. In terms of the said regulations it is mandatory for the applicant to first clear the outstanding electricity dues before his/her application for the grant of new electricity connection be accepted or approved as per DERC Guidelines.

4. Heard both the parties and perused the record.

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5. Heard the arguments of Authorized Representative of the complainant and OP-BYPL. Representative of the complainant has submitted that he is ready to pay energy dues and regarding enforcement dues he is willing to pay if respondent waive off entire LPSC.
6. In this record, LR of OP objected that as per The Delhi Electricity Regulatory Commission (Forum for Redressal of Grievances of the Consumers and Ombudsman) Regulations, 2018, CHAPTER III JURISDICTION AND PROCEEDINGS OF THE FORUM.

13. Limitation of Jurisdiction of the Forum

(2) The Forum shall not entertain grievances falling under Sections 126, 127, 135 to 139, 142, 152, and 161 of the Act.

7. Brief facts of the case are that the complainant applied for new electricity connections vide request no. 8005229379 & 8005230528 but OP rejected his application on pretext of outstanding energy and enforcement dues. The complainant agreed to make the payment of the energy dues but denied to pay the enforcement dues. He stated that the enforcement dues do not pertain to him. Later on, complainant agreed to make the payment of the enforcement dues.
- OP raised objection that this Forum has no powers to deal with the enforcement dues.
8. We are of opinion that this Forum has no jurisdiction to entertain grievances falling under Sections 126, 127, 135 to 139, 142, 152, and 161 of the Act.

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ORDER

The complaint is rejected. Complainant is directed to approach the appropriate Court or Authority for Redressal of his grievance regarding enforcement dues as this Forum has no jurisdiction to entertain the grievance.

The case is disposed off as above.

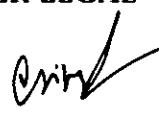
No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.


(P K SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K.AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(VIJAY SINGH)
MEMBER