

C A No. Applied For
Complaint No. 380/2024

In the matter of:

Mohd Nazul Huda

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad Alvi, Member (CRM)
3. Mr. S.R. Khan, Member (technical)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

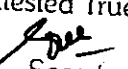
Date of Hearing: 24th October, 2024

Date of Order: 04th November, 2024

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

1. Present complaint has been filed by the complainant thereby alleging that he vide request no. 8006998558, applied for new connection on the second floor, of his premises no. 9-10/358, Khasra no. 266/16, Lalita Park, Laxmi Nagar, Delhi-110092. The said request of the complainant, for new connection, was declined by OP thereby alleging that there are pending dues at the subject property and applied address and existing meter address are different and meter already exist.

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Secretary
CGRF (BYPL)

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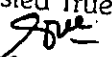
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2. In reply to the complaint, OP alleges that the request of the complainant for new connection has already been exceeded to and the connection has since been released on 27.07.2024 but on visiting the complainant's premises to install the meter officials of the OP were obstructed by the complainant thereby demanding that the meter should be installed inside the premises in place of outside. As per reply installation of the meter inside the premises is not permissible in view of communication/directions of Delhi Fire Services, it being hazardous due to not having means of escape. In this regard OP states that installing of the meter inside the premises is to avoid keeping in view untoward happenings/disasters.

In view of the above OP has prayed for dismissal of the complaint that the respondent in view of the aforesaid facts and circumstances, complainant deserves no relief from this Hon'ble forum and further the complaint ought to be rejected on account of concealment of material facts by the complainant himself.

3. Both the parties in support of their respective contentions have placed on record the supporting documents i.e. Deficiency letters dated 01.06.2024 and 11.06.2024, meter removal slip of OP for CA no. 152208818 dated 13.05.2024 and bill of CA no. 152208818 and his Aadhar Card, by the complainant. On the other hand OP has placed on record copy of its IR, letter of Directorate of Delhi Fire Service, Govt. of NCT of Delhi, dated 27.10.2021 and 16.06.2023 regarding shifting of electric meter boards/panels and energy supply points/associated equipment away from the means of escapes.

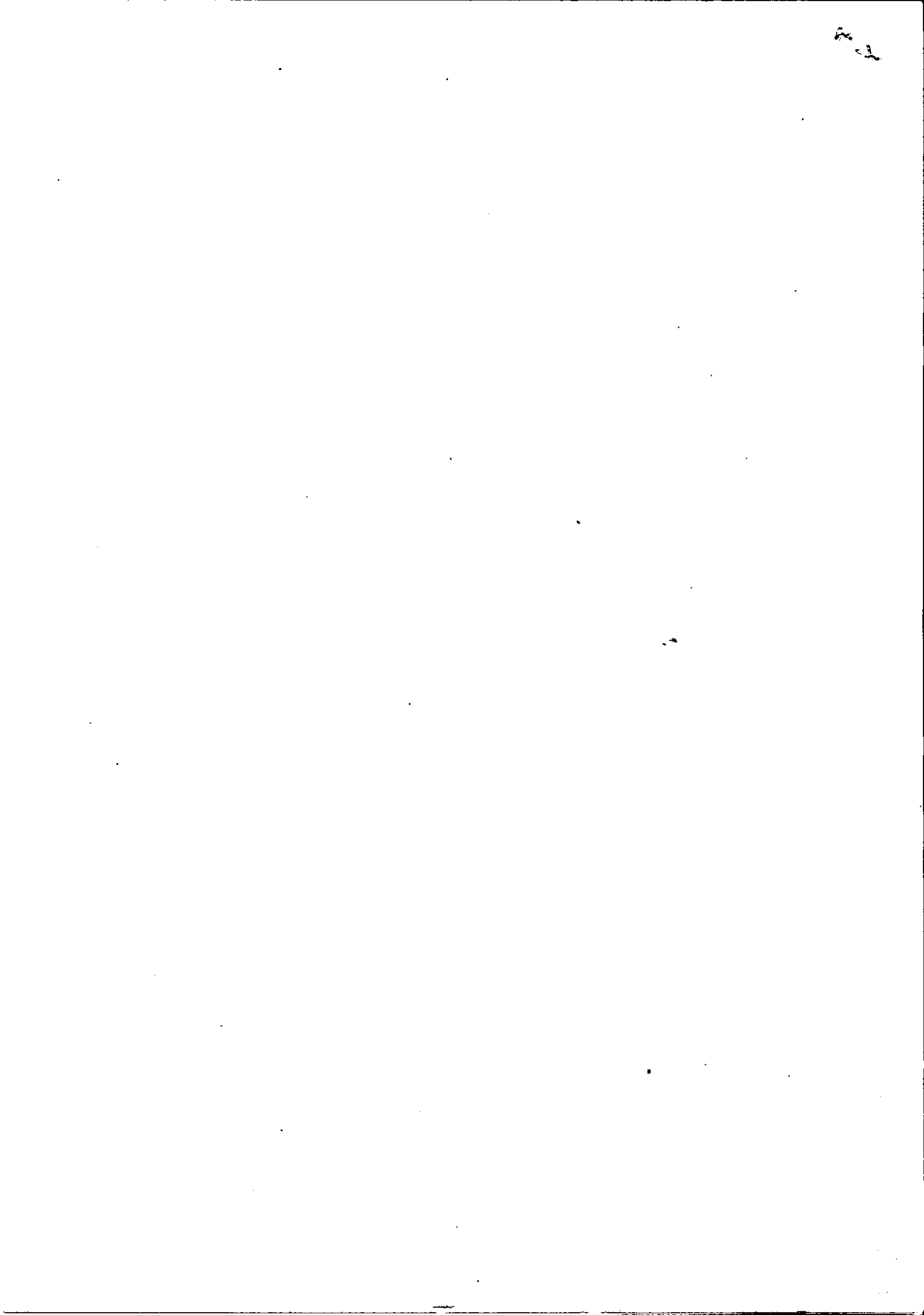
4. Heard and perused the record.

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CGRF (BYPL)

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5. As per pleadings, cause of action against OP arose only for not allowing the request of the complainant by releasing new connection, which as per OP has since been processed. There is no specific denial on behalf of the complainant thereof. The only step remains installation of meter. As per OP, complainant is hindering the installation of the meter, pressing that the same should be installed inside the premises while OP wants to install the same outside the premises while OP wants to install the same outside the premise being bound by the mandates/directions of the Delhi Fire Services as well as the communication of the Government. In support of this pleas OP has placed on record communications dated 16.06.2023 sent by Delhi Fire Services in pursuance of its earlier communication dated 13.09.2019, 29.01.2021 and 13.10.2021. Perusal of these communications shows that by way of these letters the Delhi Fire Services mandated ~~then~~^{to} the shift the existing energy supply points and equipments away from the means of escape. These letters also referred the fire incidence occurred at different places in Delhi thereby reminding to accord top priority for re-location/shifting of the electrical equipments etc away from the means of escape.
6. In view of the above, we don't find any shortcoming/deficiency in the services of the OP and the non-release of the connection is being caused only due to the unreasonable obstruction of the complainant. However, in the interest of natural justice OP may install the meter outside the premises concerned without any obstruction on behalf of the complainant for the same.



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
Accordingly, the complaint is disposed off.


The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finality.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

(H.S. SOHAL)
MEMBER



(NISHAT A ALVI)
MEMBER (CRM)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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Secretary
CGRF (BYPL)

