



C A No. Applied for
Complaint No. 438/2024

In the matter of:

Mohd Sabir

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Lalit & Mr. Akshat Aggarwal On behalf of BYPL

ORDER

Date of Hearing: 14th November, 2024

Date of Order: 27th November, 2024

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for a new electricity connection at premises no. 6415, Ground Floor, Gali Chattenki Wali, Quresh Nagar, Sadar Bazar, Delhi-110006, vide request no. 8007042992. The application of complainant was rejected by OP on the pretext of Pending for TF Punching, but complainant stated that his application for new connection has been declined on false and frivolous ground.

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CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity connection at the first floor of the property bearing no. 6415, Ground Floor, Gali Chattenki Wali, Quresh Nagar, Sadar Bazar, Delhi-110006, vide request no. 8007042992. The application of the new connection was rejected on account of applied premises is a temporary structure with incomplete and unsafe wiring thereby making the premises prone to accidents etc. which may amount to loss of life of innocent people.

Reply further states that upon inspection of the applied premises, it was discovered that the premises is a temporary structure which is not even having proper and complete wiring thereby making the structure **completely unfit for the grant of any new connection.**

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and stated that the applied premises is made up of permanent brick walls and due to lack of money and financial crisis plaster on the walls is not done and the roof of applied structure is made up of fiber sheets and iron angles. Complainant stated that applied premise is safe and wiring is also complete.

During the course of arguments, the complainant filed electrical inspection report of the premises in question.

4. Heard arguments of both the parties at length.
5. From the narration of facts and material placed before us we find that the complainant applied for new electricity connections which OP rejected on pretext of temporary structure found at site and wiring incomplete.

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We perused the photographs and the test report placed on record. The complainant has applied for new connection under domestic category and as per version of counsel of the complainant; the construction of the applied premises could not be completed due to financial crisis. The subject premises have brick walls which is admitted fact and also visible in the IR filed by OP. OP has taken plea of Regulation 7 of DERC Supply Code 2017. The relevant Regulation is narrated here below:-

7. Wiring in the premises of the consumer:-

(1) The work of wiring at the premises of the consumer shall conform to the standards notified in Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof.

(2) All multi-storeyed buildings, having a height of more than 15 meters from ground level, shall also comply with Clause 36 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof.

(3) Wiring shall be tested as per provisions of Clause 31 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof.

(4) The material used for wiring shall comply with or be superior to the standards laid down by the Bureau of Indian Standards. The consumer shall be solely responsible for the installation of electrical wiring within its premises as per relevant Rules/Regulations.

(5) All consumers, irrespective of the sanctioned load, shall install a suitable device for earth leakage protection within the time period as may be notified by the Commission:

Provided that no new connection shall be energised, unless a suitable earth leakage protection device has been installed.

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From the perusal of the said Regulation, We don't find any hindrance in granting a new electricity connection to the complainant.

ORDER


The complaint is allowed. OP is directed to release the new electricity connection to the complainant as applied for vide request no. 8007042992 at premises no. 6415, GF, Gali chatteni Wali, Quresh Nagar, Sadar Bazar, Delhi-110006 after completion of other commercial formalities as per DERC Regulations 2017.


This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.


The parties are hereby informed that 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 finally.

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


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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