

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 015/08NK

C A No. Applied for
Complaint No. 394/2024

In the matter of:

Radhey Shyam SharmaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P. K. Singh (Chairman)
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Nishikant Ray, Counsel of the complainant
2. Mr. Akash Swami, Mr. R. S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 21st January, 2025

Date of Order: 27th January, 2025

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 451, old no. 41, FF, Gali no. 3, Shanka Marg, Mandawali Fazalpur, Delhi-110092 vide request no. 8006960898. The applications of complainant were rejected by OP on the pretext of address in MCD list, but the complainant stated that the objection of OP is not justified as after booking OP has installed ten electricity connections in the subject premises.

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Secretary
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 domestic connection vide request no. 8006960898. The application of the complainant were rejected on the ground that the applied address is under MCD booking list dated 28.03.2018 appearing at sl. no. 159.

Reply further stated that at present there are multiple connections existing at site. All the connections are released in the year 2020 and 2022. The details of the existing connections are as under:

Meter no.	CA no.	Name	Address	DOE
55321540	153183523	RadheyShyam Sharma	New no. 451, UGF, Old No. 41,	16.11.2020
55324467	153176326	RadheyShyam Sharma	New no. 451, GF,	13.11.2020
55324466	153690454	Kamla Bisht	New no. 451, FF	25.01.2022
55324465	154271079	Rekha Bisht	New no. 451, 4 th F	13.11.2020
55324468	153176331	Shama Devi	New no. 451, 4 th F, front side	13.11.2020
55325058	153176337	Rohit Kumar Mishra	New no. 451, UGF	13.11.2020
55325059	153176339	Satish Kumar	New no. 451, 3 rd F	13.11.2020
55325060	153176344	Radha	New no. 451, 3 rd F, Back Side	13.11.2020
55324681	153176336	Monika	New no. 451, 2 nd F, back side	13.11.2020
70302291	153186534	Manju Chauhan	New no. 451, 2 nd F, front side	24.11.2020

3. In response to the reply of OP, the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and reiterated his original complaint. Rejoinder also submitted that the OP has admitted in their reply that they have already released ten electricity connections in the subject premises after MCD booking.

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4. During the course of arguments, OP was directed to produce the K.No. files of the connections already released by OP. From perusal of the said K.No. files, it is revealed that earlier the connections were released in the subject premises on the basis of BCC.
5. Heard arguments of both the parties at length.
6. We have gone through the submissions made by both the parties. From the narration of facts and material placed before us, we find as under:
 - a) The complainant has applied for new electricity connections on premises no. R-151, Ramesh Park, Laxmi Nagar, Delhi which OP rejected on pretext of building booked by MCD vide letter no. EE(B)-II/Sh(s)/2018/D-2051 dated 10.09.2018.
 - b) The building in question was booked by MCD in the year 2018, whereas the OP has released ten connections in the said building in the year 2020, i.e. almost two years after MCD booking.
 - c) K.No. files of all the ten connection were called and from the perusal of said files, it was revealed that the connections were released by OP on the basis of BCC filed by the complainant.
 - d) The said BCC was issued by Architect Karan Singh Yadav, who is now de-barred by MCD as per screenshot of MCD website submitted by the OP.
 - e) The Architect was de-barred by MCD for a period of three years from 06.11.2020 onwards whereas the BCC issued to the complainant was on 26.10.2020 which is before ~~then~~ the date of de-barring the Architect.

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7. In view of the above, we are of considered opinion that the new connection as applied for by the complainant can be granted as the complainant has already submitted BCC and the only objection which OP takes on the BCC is that the Architect who issued BCC was debarred by MCD but the BCC was issued earlier than the de-barring of the Architect and OP has not placed on record any documentary proof in this regard.

ORDER

The complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant vide application no. 8006960898 at premises no. New no. 451 and old no. 41, FF, Gali no. 3, Shankar Marg, Mandawali Fazalpur, Delhi-110092 after the submission of an undertaking/affidavit stating that if in future MCD or any competent authority takes action, OP would be free to take action as per law. The complainant is also directed to complete 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.

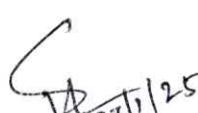
The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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)
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Secretary
CGRF (BYPL)


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


(P.K. SINGH)
CHAIRMAN