

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
E-mail:cgrfbyp@hotmai.com
SECY/CHN 015/08NK

C A No. Applied for
Complaint No. 288/2024

In the matter of:

Ram Naresh Sharma

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Akash Swami & Mr. Lalit, on behalf of respondent

ORDER

Date of Hearing: 12th November, 2024

Date of Order: 21st November, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for two new electricity connections at premises no. H-65A, Third & Fourth floors Garhwali Mohalla, Laxmi Nagar, Delhi-110092, vide requests no. 8006935382 & 8006935374. The applications of complainant were rejected by OP on the pretext of Connection already exist at site, Dues at site, dispute at site & Building height more than 15 meters but complainant stated that his application has been decline on false ground as there are no disputes on his property.

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2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking for two new connections at the premises no. H-65A, Third & Fourth floors Garhwali Mohalla, Laxmi Nagar, Delhi-110092, vide requests no. 8006935382 & 8006935374. The application of the new connection was rejected on the following grounds:

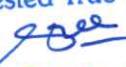
Firstly; Meter already exist at site vide meter no. 11217583.

Secondly; Building height is more than 15 meters, which mandates the requirement of Architect Certificate and

Thirdly, same site energy dues were there, which has been paid by the complainant.

OP further stated that in view of the aforesaid objections, issuance of new DX connection can only be processed if the aforesaid objection cleared by the complainant and the application is made in consonance with the provisions of the DERC (Supply Code & Performance Standards) Regulations, 2017.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the complainant applied for new two connections at the third & fourth floors. However applied third floor connection (Vide request no. 8006935382) was denied by the respondent stating that connection already exist at applied floor hence, the complainant is not pressing for the third floor connection however for the fourth floor connection (Vide request no. 8006935374), the respondent has sought Architect certificate for the release of new connection on fourth floor. Hence, the complainant is submitting the same before the Hon'ble Forum for release of new connection of fourth floor.

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4. The complainant filed Architect Certificate which stated that building no. H-64A, Fourth floor, Garhwali Mohalla, Laxmi Nagar, Delhi-110092 is comprised of Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor and the height of the building is less than 15 meters and is accordance with the building bye laws.
5. Heard arguments of both the parties at length.
6. From the narration of facts and material placed before us we find that the complainant applied for two new connections which OP rejected on pretext of the connection already exist vide CA No. 11217583, dues at site & height of building is more than 15 meters. Regarding first objection of OP, complainant in its rejoinder has clearly mentioned that he is not pressing for third floor connection. Regarding second objection of OP of energy dues, same are already paid by the complainant. Regarding third objection related to building height, in this regard the complainant filed architect certificate which was verified by the OP telephonically with the Architect, and it is pointed out that the Architect Certificate is only till fourth floor and there is no fifth floor mentioned in the Architect Certificate. The certificate is not self attested even.
7. In view of the above, we are of considered opinion that admittedly there is a fifth floor also, but the Architect Certificate filed by the complainant claims that the building is upto 4th floor which is a false certificate. Even, the complainant has not denied the existence of fifth floor. With the help of false Architect Certificate this Forum is unable to give any relief to the complainant.

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ORDER

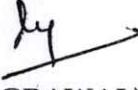
The complaint is rejected, in view of the above.

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.


(NISHAT A ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


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

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