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B Y P L

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 015/08NKS

CA No. Applied for
Complaint No. 197/2022

In the matter of:

Baljit SinghComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Ms. Sakshi Sharma, Counsel of the Complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Seema Rawat & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 05th January, 2023

Date of Order: 11th January, 2023

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

1. This complaint has been filed by Mr. Baljit Singh, against BYPL-GTR.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Baljit Singh applied for new permanent connection vide request no. 8005811200 in lieu of temporary connection having CA No. 351046904 at his premises no. 198/2, GF, Gali No. 3, Shri Ram Nagar,

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Delhi-110032. He further submitted that respondent rejected his application for new connection on the pretext of "same site energy dues of CA No. 101286235 amounting to Rs. 64,900/55" which is fake ground as the dues does not pertain to his premises.

3. The respondent in reply briefly stated that the complainant applied for fresh electricity connection vide request no. 8005811200, at premises no. 198/2, Gali No. 3, Shri Ram Nagar, Delhi for domestic purpose. The complainant applied for new connection and submitted court order as ownership proof.

OP further submitted that as per site visit report building is ground plus three floors with no kitchen at the ground floor i.e. applied floor. Also, dues of Rs. 64,900/ found outstanding in respect of CA No. 101286235 which pertains to applied premises. One temporary meter exists at site with meter no. 35658185, as such same is required to be removed and dues cleared in respect of above said connection for release of new electricity connection.

4. Heard both the parties and perused the record.
5. The issue in this matter is can new connection be released in the premises where dues of other connection are pending.
6. Representative of the complainant submitted that they are in occupation of the premise no. 198/2, GF, Gali no. 3, Shri Ram Nagar, Delhi-110032 since long and already a meter in the name of Satwant Kaur vide CA No. 101261800 was installed in the premise which the complainant themselves applied for disconnection on 08.12.2020 on account of construction of the building and parallel applied new temporary connection at the said premise on 04.12.2020.

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Complainant further submitted that only one connection was installed in their premise since 1957 and also produced record for the same. The connection in the name of Surinder Pal was never installed in their premise and they have no relation with Surinder Pal.

7. On the other side, LR of OP filed deficiency letter in which it is clearly stated that there are outstanding dues amounting to Rs. 64900/- in the name of Surinder Pal ^{which} needs to be clear by the complainant for release of new connection. OP further submitted that as per their record the connection of Suriender Pal was installed in the same premise in the year 2002 and got disconnected in the year 2006 on account of non-payment of dues.
8. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it ~~is~~ transpired that the complainant applied for new electricity connection at premises no. 198/2, GF, Gali no. 3, Shri Ram Nagar, Delhi-110032 vide application no. 8005811200, which respondent rejected on account of pending dues amounting to Rs. 64900/- in name of Surinder Pal at the applied address. Forum noted that already a connection in the name of Satwant Kaur was installed in the same premises and the said connection of Satwant Kaur was installed since 1957 which the complainant got disconnected for constructing the premise. Complainant also applied for new temporary connection for construction purpose and OP installed the same.
9. From the above, we observed that OP is asking the complainant to clear the dues which are almost 22 years old. During the course of hearing OP was asked to file K.No. file of the connection of Suriender Pal but OP failed to provide the same.

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Forum noted that OP failed to recover the dues on number of occasions first, when the supply of CA no. 101286235 was disconnected in the year 2006 but OP has not taken any action by transferring the dues to the live connection in the same premises in name of Satwant Kaur which was disconnected in December 2020. Secondly, at the time of applying of disconnection of the connection in the name of Satwant Kaur, OP should have asked the complainant to clear the other pending dues. Again when OP released the new temporary connection to the complainant, they should have asked to clear the outstanding dues of CA No. 101286235 in the name of Suriender Pal from the complainant. Lastly, when the Forum asked for the K.No. file of Suriender Pal, OP failed to provide the same to the Forum.

10. Therefore, rejection of complainant's application no. 8005811200 for new electric connection at premises no. 198/2, GF, Gali no. 3, Shri Ram Nagar, Delhi-110032, by OP BYPL is not justified.

ORDER

The complaint is allowed. OP is directed to release the new connection to the complainant as per above stated directions and completion of all the necessary commercial formalities.

The OP is also directed to file compliance report to this office within 21 days from the issue of this order.

Accordingly, the case is disposed off.

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


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN