



C A No. Applied For
Complaint No. 126/2023

In the matter of:

Rashid Ali

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

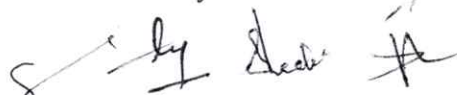
Date of Hearing: 22nd June, 2023
Date of Order: 17th July, 2023

Attested True Copy

Secretary
CGRF (BYPL)

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

1. Present complaint has been filed by Mr. Rashid Ali, against BYPL-NNG.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Rashid Ali, applied for new non-domestic electric connection vide order no. 8006148101 at Ground floor of premises no. B-3/124, (old no. B-232) Kh.No. 125, Gali No. 5, B-blcok, Kabir Nagar, Delhi-110094, but respondent rejected his application for new connection on the pretext of connection already exists.

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3. The OP in their reply briefly stated that the complainant is seeking fresh electricity connection for ground floor of property bearing no. B-3/124, (old no. B-232) Kh.No. 125, Gali No. 5, B-blcok, Kabir Nagar, Delhi-110094 vide application no. 8006148101 for non-domestic purpose.

In rejoinder to this reply complainant not denying about the existence of the connection, states that the same is being used at fourth floor of this premises.

4. The counsel of the complainant argued that that he purchased said property on 06.09.2022 and thereafter applied for new connection on 16.02.2023 bearing application no. 8006169314 and the height of the said building is less than 15 meter. OP rejected the said application of the complainant on wrong reason as already there are connections installed in the applied premises. There are total four connections in the applied building only complainant's floor is without electricity. He also denied the contentions of the respondent as averred in their reply.
5. LR of the OP submitted that there is no separate dwelling unit exist as one meter was already exist vide meter no. 11907543 whose supply was running at GF for jeans packing godown shop. The applicant can apply for name change and then category change from domestic to non-domestic.
6. As far as legal position is confirmed according to DERC (Supply Code and Performance Standards) Regulations 2017, Rule 10 (1) (vi) for the new connection is narrated below:
(vi) Wherever, one dwelling unit has been sub-divided and separate kitchen as well as separate entry is available, second electric connection may be given to the lawful occupant.

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Secretary
CGRF (BYPL)

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7. Going through the pleading and after hearing the parties as per OP one connection already exists at applied premises in the name of one Ms. Khatun Begum, while complainant states that said connection is of fourth floor but none of the parties could produce any document substantiating their different version such as basis on which OP given connection on ground floor, ^{Similarly} and on the other hand complainant failed to file any document to show that said connection holder is ^{not} owner/possession of fourth floor and not of ground floor.

In the aforesaid facts and circumstances, connection on applied floor can be granted only when other connections on ground floor is disconnected or proved to be of fourth floor of the same premises.

ORDER

Complaint is rejected and disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.


(S.R. KHAN)
MEMBER-TECH



(P.K. SINGH)
CHAIRMAN

Attested True Copy

Secretary
CGRF (BYPL)

(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER