



CA No. Applied For
Complaint No. 16/2020

In the matter of:

Anil KumarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. N.K. Ray, Counsel of the complainant
2. Mr. Prashant Tikadar, Mr. Jagatheesh Kannan & Mr. B.B. Sharma,
On behalf of BYPL

ORDER

Date of Hearing: 04th August, 2020

Date of Order: 06th August, 2020

Order Pronounced by:- Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the complainant applied for new connection, but the respondent company rejected his application for the same.

The complainant submitted that he applied for new connection at B-37, GF, Shop No. 1, Ganesh Nagar, Pandav Nagar Complex, Delhi-92 vide application no. 8004321330 dated 20.01.2020, which was rejected by the respondent company vide their rejection letter dated 24.01.2020, on the pretext of

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"Building height more than 15 meters w/o SP: As per DERC guidelines Fire Clearance Certificate is required." It is also his submission that his building is 20 years old and constructed upto 4th floor. He also added that all the shops and flats in the building already have electricity connection but only his shop has no electricity connection.

Therefore, he requested the Forum to direct the respondent company for release of new connection at the earliest.

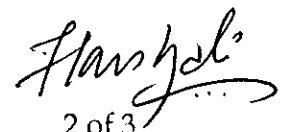
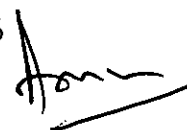
The matter was listed for hearing on 23.03.2020, but due to Covid19, Forum was closed and hearing is now conducted on 16.07.2020 through video-conferencing.

Notice was issued to both the parties to appear before the Forum on 16.07.2020. The respondent company submitted their reply stating therein that the complainant applied for new connection vide request no. 8004321330 dated 20.01.2020. On site visit, the application of new connection was rejected as height of the building was found to be more than 15 meters. Hence, fire safety clearance is required to release the new connection. Therefore, a deficiency letter dated 24.01.2020 was issued to the complainant stating the same.

The present complaint was heard on 16.07.2020. The respondent raised objections regarding height of the building which is more than 15 meter. Respondent was directed to file details of all the connections in the premises and when they were released.

The respondent submitted details of the connections energized in the said premises:-

1. CA No. 101007484, energization date 22.08.2009
2. CA No. 151491160, energization date 06.06.2015
3. CA No. 151491161, energization date 06.06.2015
4. CA No. 151491162, energization date 06.06.2015
5. CA No. 151861640, energization date 02.06.2016



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On 24.07.2020, the counsel for the complainant insisted for joint inspection. This forum directed both the parties to conduct a joint inspection in the presence of the complainant and his counsel on 28.07.2020 at 12.00 noon and to file report on next date of hearing.

The Forum also suggested to both the parties to explore any possibility for an amicable solution.

The matter was finally heard on 04.08.2020, when respondent submitted site inspection report stating therein that building height is 16.28 metre i.e. more than 15 metres. Further, that the complainant refused to sign the inspection report despite several follow-ups.

Arguments of both the parties were heard and the case was reserved for orders.

We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we are of the opinion that since the height of the building of the complainant is more than 15 meters, the new connection to the complainant cannot be released.

The respondent has given details of all the connections installed in the premises of the complainant alongwith their date of energization, which shows that all the connections were installed before the implementation of the DERC Guidelines 2017.


In view of the above, the case is dismissed.

No order as to the cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)
7.8.20


(ARUN P SINGH)
CHAIRMAN


(VINAY SINGH)
MEMBER (LEGAL)