

C A No. Applied For
Complaint No. 13/2020

In the matter of:

Pulish RayComplainant

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. Imran Siddiqi, Mr. Prashant Tikadar, Mr. Jagatheesh Kannan & Mr. B.B. Sharma, On behalf of BYPL

ORDER


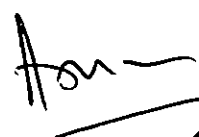

Date of Hearing: 16th July, 2020

Date of Order: 17th July, 2020

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

Briefly stated facts of the case are that the complainant applied for new electricity connection, but the respondent has failed to release the same.

It is also the submission of the complainant that he is the owner of the build-up property bearing no. D-31, GF, left and back side, Ganesh Nagar, Pandav Nagar, Delhi-92 and the said property is a three storey building which was constructed 18 years ago.

 
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He further added that he applied for new electricity connection vide application no. 8004338929 on 29.01.2020 at his portion i.e. GF left and back side. The height of the building is less than 15 meters from each side, but the respondent rejected his application for new connection on the context of building height more than 15 meters.

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

Notices were issued to both the parties to appear before the Forum on 16.03.2020.

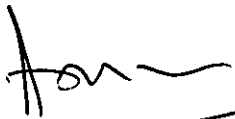
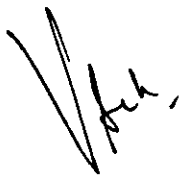

The respondent company submitted their reply stating therein that the new electricity connection can be provided as per the law as duly provided inter alia under the Delhi Electricity Supply Code and Performance Standard Regulations, 2017.

It was also their submission that the complainant applied for new electricity connection vide request number 8004338929. The release of connection was denied on the ground that the height of the building is more than 15 meters and without stilt parking at the ground floor and accordingly a deficiency letter was issued to the complainant on 06.02.2020.

It was further their submission that as per DERC guidelines, the complainant has to submit fire clearance certificate for release of new connection.

It is pertinent to mention here that during the course of hearing both the parties were directed to conduct a joint inspection regarding height of the building.

The matter was given new hearing date on 09.04.2020, but due to Covid19, Forum was closed and hearing is now conducted on 16.07.2020 through video-conferencing.

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The matter was heard on 16.07.2020, when counsel for the complainant submitted that till 4th floor all the connections are energized. The complainant is staying at Ground Floor. The respondent also filed photograph and joint inspection report, regarding height of the building which was signed by the complainant also. The complainant raised one objection that some connections have been released after 2017.

The Forum directed the respondent to file details of all the connections within three working days.

The counsel for the complainant submitted his additional reply stating therein that there is one connection installed in the applicant building /premises on 08/05/2018 which is CA no 152533656 in support of his objections.

The above connection was released after the notified The Delhi electricity Regulatory Commission (supply code and performance standards) Regulations, 2017. These Regulations have come into force from 01.09.2017.

The respondent company also submitted details of the connections along with energization details which are as follows:-

CA No. 101040930 Energisation Date 22.06.2009

CA No. 101007560 Energisation Date 27.03.2009

CA No. 101007626 Energisation Date 27.03.2009

CA No. 101096590 Energisation Date 07.07.2009

CA No. 150227161 Energisation Date 02.09.2011

CA No. 150320836 Energisation Date 20.01.2012

CA No. 151728156 Energisation Date 21.01.2016

CA No. 152086762 Energisation Date 17.01.2017

CA No. 101008437 Energisation Date 17.07.2010

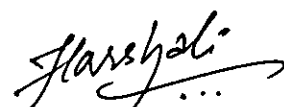
CA No. 101027264 Energisation Date 26.08.2010

CA No. 152044582 Energisation Date 19.11.2016

CA No. 100995606 Energisation Date 03.03.2010



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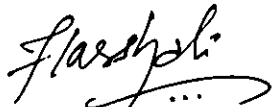
The respondent has given details of all the connections installed in the premises of the complainant alongwith their date of energization, which shows that all the connections were installed before the implementation of the DERC Guidelines 2017.

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.

He may approach the appropriate authority regarding his grievance of discrimination if any.

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)


(ARUN P SINGH)
CHAIRMAN


(VINAY SINGH)
MEMBER (LEGAL)