

CA No. 151456255
Complaint No. RA No. 2 in CG No. 11/2020

In the matter of:

Varun NegiComplainant

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. Varun Negi, Complainant
2. Mr. Imran Siddiqi & Mr. B.B. Sharma, On behalf of BYPL

ORDER

Date of Hearing: 07th September, 2020

Date of Order: 09th September, 2020

Order Pronounced by:- Mrs. Vinay Singh, Member (Legal)

Briefly stated facts of the case are that the respondent changed the name of the connection having CA no. 151456255, without intimation to him and without his knowledge. He requested the Forum to direct the respondent for reversal of name change.

The forum vide its order dated 21.07.2020 directed the respondent that

- (1) The name of complainant should be reverted back in place of Rahul Negi in above mentioned premises.

Harshali

[Signature]

[Signature]
1 of 3

Complaint No. RA No. 2/2020 in CG No. 11/2020

(2) Respondent is also directed for future, before changing the name always ask for NOC and issue notice to the party in whose name connection is running.

The respondent on 20.08.2020 filed their application for reviewing the part of the orders of the Forum, which is reproduced as under:-

(b) Respondent is also directed for future, before changing the name always ask for NOC and issue notice to the party in whose name connection is running.

The respondent submitted that the direction is in violation of the DERC (Supply Code and Performance Standard) Regulations-2017 sub-regulation 17 from (1) to (5) amounts to overreaching the same which is beyond jurisdiction of the Forum.

Notice was issued to both the parties to appear before the Forum on 07.09.2020.

On hearing dated 07.09.2020, the complainant submitted that he had filed FIR against the forged property papers submitted by Sh. Rahul Negi. He also submitted that the respondent has not given him complete power of attorney which was submitted by Sh. Rahul Negi at the time of name change.

The respondent argued that the word NOC should be deleted because it is not mentioned in DERC Guidelines 2017. Arguments were heard. Order reserved.

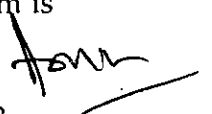
The main objective of the respondent for filing the review petition is the word 'NOC' which the respondent contested is not mentioned in DERC Guidelines 2017.

After going through the facts of the case, the Forum deletes the word 'NOC' from the directions given to the respondent. The revised order of the Forum is as under:-






2 of 3




Complaint No. RA No. 2/2020 in CG No. 11/2020

- (1) The name of complainant should be reverted back in place of Rahul Negi in above mentioned premises.
- (2) The respondent is directed that in future they shall intimate the consumer, (whose connection will be transferred) by post (with alert messages on registered mobile and e-mail also), about this transfer of connection/name change as Forum has its own jurisdiction to entertain the complaint by the principle of fair play and natural justice for efficient discharge of their functions as defined in sub-regulation 15 (16) of the CGRF Regulations 2018.

The review petition is disposed off with above directions.


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN