



C A No. Applied For
Complaint No. 27/2021

In the matter of:

Mohd Shahid

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Dilshad Hussain, Counsel of the complainant
2. Mr. Imran Siddiqi & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 09th April, 2021

Date of Order: 12th April, 2021

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

Briefly stated facts of the case are that the complainant applied for new connection but the respondent company did not release the connection.

The complainant further submitted that he applied for new connection vide order request no. 8004660130 but the respondent company rejected his application for new connection with the reason that property is under construction and there are no proper electricity fitting. He also submitted that

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he removed all the objections of the respondent but the respondent has not released the new connection till date. Therefore, he requested the Forum to direct the respondent company for immediate release of the new connection.

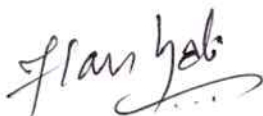
Notices were issued to both the parties to appear before the Forum on 15.03.2021.

The respondent submitted their reply stating therein that complainant applied for new electricity connection at premises no. 1654, FF, Gali Takhat Wali, Suiwalan, Darya Ganj, Delhi-110002 for domestic purpose vide request no. 8004660130. On site verification it was found that as per TFE site visit the premises is G+2 already seven meters exists and there is no separate dwelling unit at applied portion, so connection is not feasible.

Respondent further added that as per provisions of Regulations 10 (1) (vi) of DERC (Supply code and performance Standards) Regulations 2017, no domestic connection can be given to the consumer without one dwelling unit. Hence, on the above said deficiencies release of new electricity connection is not possible.

It was also submitted that building consists of ground floor, first floor and second floor. There are seven domestic connections. Each one is having its own meter, hence, no scope to release the connection against order no. 8004620512 more, so as there is no separate dwelling unit at FF.


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S.No.	Meter No.	CA No.	Name	Address	Category
1	11723784	100483681	Mohd Parvez	1654, gali Takhat wali, Chandni Mahal, Suiwallan, Darya Ganj	Domestic
2	12924851	100455288	Mohd Rais	1654, GF, Gali Takhat Wali, Suiwalan	Domestic
3	11475556	100363299	Mohd Saleem	H.No. 1654, GF, Gali Takhat Suiwalan, Jama Masjid	Domestic
4	11497997	100483670	Mohd Naeem	H.No. 1654, SF, Gali Takhat Wali, Daryaganj	Domestic
5	11723782	100344411	Mohd Haseen	H.No. 1654, GF, Suiwalan, Delhi	Domestic
6	11723887	100377838	Mohd Naslam	1654, Gali Sakka Wali, Suiwalan, Delhi	Domestic
7	11497632	100331101	Mohd Raza	1654, Suiwalan, Jama Masjid, Delhi	Domestic

On hearing dated 15.03.2021, respondent filed their reply and raised objection that there is no separate dwelling and separate entry. Forum directed to conduct a joint inspection in the presence of complainant on 16.03.2021.

The matter was heard on 22.03.2021, when respondent filed re-visit summary sheet, but the report is not authentic, because it has mentioned that there are three dwelling units and seven connections. Forum was not satisfied with the report and directed Secretary of the Forum to visit the premises along with the staff of division and file its report.

The site report was filed vide e-mail dated 08.04.2021 same is narrated here below:

- It was found that there are total 7 meters in stalled in the building.
- Building is in two portions. One portion has 5 meters while second portion has two meters.

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- Complainant is currently using supply from meter of CA No. 100377838 which is installed in the name of his father.
- There are in total 5 kitchens in entire building.

It was also submitted that premises of the complainant was inspected in the presence of complainant. Premises comprises of ground floor, first floor and second floor and back side of the premises also having three floors with two meters installed there. On the first portion there are five meters installed having CA No. 100331101, 100377838, 100344411, 100483670, 100483681.

The complainant is residing at first floor in a corner room and showing a separate kitchen under the stair case of the building and as per him presently he is suing supply from CA No. 100377838 in the name of his father Mohd. Aslam, who is residing at ground floor. There are total five kitchens that are two at G/F, one at FF and 2 at SF.

The matter was finally heard on 09.04.2021, when as per the last direction of the Forum joint inspection report was submitted by the respondent which was taken on record. Arguments of both the parties were heard and matter was reserved for orders.

The main issue in the present complaint is whether the connection can be granted to the complainant or not.

We have gone through the submissions made by both the parties from the narration of facts and material placed before us we find as under

- That the complainant applied for new electricity connection at premises no. 1654, FF, Gali Takhat Wali, Suiwalan, Darya Ganj, Delhi-110002 for domestic purpose vide request no. 8004660130.

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- That the premises where the complainant applied for new connection is ground + two.
- That the premise in question is having five separate kitchens and already seven connections are energized in the same.
- That the complainant's does not have any separate kitchen which shows that he is living separately.
- That the complainant's room on which he sought the connection is the last room of first floor having kitchen far away under the stair case going to the second floor of the premises.
- That as per DERC Guidelines 2017,
- 10. New and Existing Connections:-
- (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.

In view of the above, the forum is of the opinion that the complainant wants to enjoy the benefit of the subsidy granted by Government of Delhi and he is still using the electricity from the connection installed in name of his father Mohd. Aslam vide CA No, 100377838, which is sanctioned in the name of Aslam (misspelled as Mohd. Aslam in the bill) who resides at the ground floor of the same premises.

The Forum is of the opinion that

- Application of the complainant is dismissed due to no separate entry or dwelling unit.
- The respondent is directed to look into the matter as how seven connections are energized in five dwelling unit.

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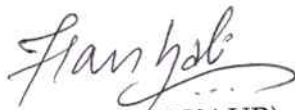
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The case is disposed off as above.

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.

The compliance should be reported within 30 days. The order is issued under the seal of Consumer Grievance Redressal Forum (BYPL).


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN