

CONSUMER GRIEVANCE REDRESSAL FORUM

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)-For BRPL area

Sub - Station Building, Sector - V, Pushp Vihar,
(Near Saket Court Complex) NEW DELHI - 110017

Phones: 8468952631, 8468935702 TELEFAX: 29564400

Email: cgrfbrpl@gmail.com

No: CG -86/2019/F1/...279

Dated : ...16.11.2019.

Sh.Khushi Ram & others
House No.17-A, Samman Bazar,
Bhogal
NEW DELHI - 110014

Subject: - Redressal of Grievance by the Forum

Dear Sir,

1. Any complainant, aggrieved by orders of the Forum may himself/herself or through his authorized representative make a representation in writing to the Ombudsman with triplicate sets of application.
2. The representation shall state clearly:
 - (i) The name/s and address of the consumer/s, service connection number, category, the name of the local licensees' office, against which the representation is made, the facts giving rise to the representation, the grounds thereof, the relief sought from the Ombudsman.
 - (ii) The name of the Forum, date of order or decision of the Forum shall, as the case may be mentioned in or enclosed with the representation.
3. No representation to the Ombudsman shall lie unless:
 - (i) The consumer had before making a representation to the Ombudsman approached the Forum constituted under Section 42 (5) of the Electricity Act, 2003 for redressal of his grievance;
 - (ii) The representation is made within one month from the date receipt of the order of the Forum:

Provided that the Ombudsman may entertain a representation beyond one month on sufficient cause being shown by the person filling the representation that he had sufficient reasons for not filling the representation within the aforesaid period of one month.

- (iii) The person filling the representation deposits an amount equal to one third of the amount assessed by the Forum in cash or by way of bank draft with the licensee and documentary evidence of such deposit is enclosed with the representation.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

SECRETARY

Encl: Certified copy of order (03 pages).

CONSUMER GRIEVANCE REDRESSAL FORUM (BRPL)

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

Sub - Station Building, Sector - V, Pushp Vihar,

(Near Saket Court Complex) NEW DELHI - 110017

Phones: 8468952631, 8468935702 Fax: 29564400

Email: cgrfbrpl@gmail.com

No: CG -86/2019

In the matter of:

Shri Khushi Ram & others
House No. 17 - A, Samman Bazar,
Bhogal,
NEW DELHI - 110014

...Complainant

Versus

BSES Rajdhani Power Ltd.
BSES Bhawan, Nehru Place,
NEW DELHI - 110019.

... Respondent

Coram:

- | | | | |
|----|--------------------|---|--------------|
| 1. | Mr. Atul Nigam | - | Chairman |
| 2. | Mrs. Nirja Ahuja | - | Member (L) |
| 3. | Mrs. Monika Taneja | - | Member (CRM) |

Appearance:

Complainant : Shri Manoj Banka, Authorize Representative of the complainant

Respondent : Shri Manish Kumar, Sr. Manager , Division - Nizamuddin

(Date of Hearing: 20.11.2019)

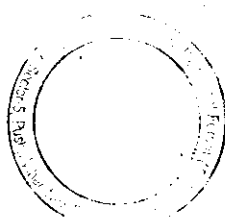
(Date of Order: 29.11.2019)

ORDER

Mrs. Nirja Ahuja, Member (Legal)

In brief case of the complainants is that the complainants are the owner of the property bearing H. No. 17-A, Samman Bazar, Bhogal, New Delhi-110014 and he has applied for new electricity connections. The four meters vide CA no. 101939723, 101922044, 101900614 and 102030237 was installed at the above said premises and removed on March 2017 due to construction works. Complainant had applied for temporary connection CA no. 350783894 and it was installed on 21.04.2017. The above said building is duly constructed having Basement, Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor. The complainants had

at



Handwritten signature

Handwritten signature

1

No: CG – 86/2019

applied for new electricity connections floor wise on 10.05.2018 and 25.03.2019 vide application nos. 1019944246, 1019944226, 1019948994, 1019944217, 1019944223, 1019944227 and 1019944256 for front portion and vide application nos. 101944229, 1019944220, 1019944253, 1019944258 and 1019944255 for back portion at the above mentioned premises. Application of new electricity connections were rejected by respondent vide letter dated 29.05.2018 on the basis of building booked by MCD, MRO Permission Required, O&M Permission required. Complainants approached respondent for release of connections several time, however all their efforts went in vain and electricity connections were not released to them. Being aggrieved, complainant filed the complaint before the Forum, which was registered.

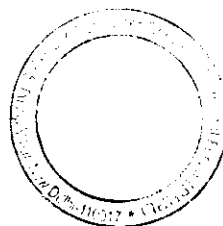
On notice respondent appeared and filed its reply and documents before the Forum.

Respondent submitted reply dated 19.11.2019 in which they mentioned that the request for electricity connections was rejected due to building booked by MCD, building height more than 15 metres, dues of CA no. 101993628 (Budhan Ram F/o Khushi Ram) found on the premises. They further stated that as per property sale deed submitted by applicant, it is mentioned on page no. 3 that the property MCD no. 17 is sub-divided in two parts (Samman Bazar side MCD no. 17A and Bazar Lane side MCD No. 17). However, as per MCD booking letter dated 06.11.2017. Property No. 17, Samman Bazar, Bhogal was booked which consist of both the above sub-divided properties. Respondent further stated that it was observed during earlier site visit also that both said (17 & 17A) buildings are constructed as a single building having common parking, first floor, second floor etc. (currently applicant had made arrangement to show separate unit through temporary wall). So applicants were required to give NOC / restoration letter from MCD, fire certificate from fire department and they have to clear the above mentioned dues of CA no. 101993628 before connections can be released.

During the hearing, authorized representative for the complainants submitted that inadvertently in proforma, it has been mentioned that 13 connections have been applied but actually only 6 connections are sought in property No. 17. He further stated that height of building is less than 15 metres and also stated that the Complainants are ready to clear all outstanding dues pending on the premises. Respondents submitted that when the Complainants produce letter to the effect that

ML

Dr



2

No: CG – 86/2019

the property is no more booked as on date, they will release the connection in the portions which are of the height less than 15 metres.

We have heard the parties at length and also gone through the documents filed by both the parties. We are of the considered view that since the property has been booked by MCD, a letter from MCD regarding restoration of the booked property is mandatory before the connections can be released. So, we direct the complainants to obtain a letter from MCD to this effect and give it to the respondents. Respondents are directed to release the connections after the complainants gives the letter of restoration from MCD as mentioned above and also complete other commercial formalities and documentation, however, respondent to ensure that connections will be released only if the building height is less than 15 metres without stilt parking and 17.5 metres with stilt parking as per DERC clarification vide letter no. F.17(85)/Engg./DERC/2016-17/5403/487 dated 31.05.2019.

Case is disposed off, accordingly.

Sd/-
(Mrs. Monika Taneja)
Member (CRM)

Sd/-
(Mrs. Nirja Ahuja)
Member (Legal)

Sd/-
(Atul Nigam)
Chairman

