

OFFICE OF THE ELECTRICITY OMBUDSMAN

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

B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057

(Phone-cum-Fax No.: 011-41009285)

Appeal No. 31/2021

(Against the CGRF-BYPL's order dated 31.08.2021 in Complaint No. 83/2021)

IN THE MATTER OF

Shri Mohammad Asif

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri S. B. Pandey, Advocate

Respondent: Shri K. Jagatheesh, Sr. Manager, Shri Imran Siddiqi,
Manager (Legal) and Ms. Ritu Gupta, Advocate, on behalf
of BYPL

Date of Hearing: 09.02.2022

Date of Order: 11.02.2022

ORDER

1. The appeal No. 31/2021 has been filed by Shri Mohammad Asif, through his authorized representative, advocate Shri S.B. Pandey, against the order of the Forum (CGRF-BYPL) dated 31.08.2021 passed in Complaint No. 83/2021. The issue concerned in the Appellant's grievance is regarding non-release of the two new electricity connections by the Discom (Respondent) at his premises bearing No. A-339, Ground Floor, Khasra No. 185/187, 110/111, Gali No. 8, 20 Feet Road, Shri Ram Colony, Rajiv Nagar, Delhi - 110094.

2. The brief background of the appeal arises from the facts that the Appellant had applied for new domestic as well as commercial electricity connections, but the same were rejected by the Discom on the grounds that the premises is under Right of Way of HT (High Tension) Line and incomplete wiring in the said premises. Since the Discom was not releasing the connections to the



Appellant, he approached the CGRF for resolution of his grievance. The CGRF heard the complaint of the Appellant and decided that since in the present case the premises where the electricity connections have been applied for is falling under the HT line, hence, keeping in view of the safety concerns the connections cannot be released.

3. Since the Appellant was not satisfied with the decision of the CGRF, he has preferred this appeal on the grounds that the CGRF did not consider the facts of the case properly according to the DERC Regulations and dismissed the case only on the safety grounds ignoring the facts, law and prevailing regulations. In view of above, the Appellant prayed to set-aside the order passed by the CGRF and to direct the Discom to sanction and install the new connections at the earliest.

The case was taken up and the hearing was held on 09.02.2022. During the hearing, the Appellant was asked, if his premises is falling under the H.T. Line or not, to which he admitted the fact that a portion of his house is constructed under the High Tension line. He, however, requested that a lenient view may be taken in the instant case. On the other side, the Discom argued that on site verification it was found that the premises is under Right of Way of 220 KV Extra High Voltage (EHV) Transmission line of Delhi Transco Ltd. and the horizontal distance between the nearest conductor and part of the building in the present case is '0' (Zero) meters, hence the connections cannot be released in view of prevailing CEA Safety Regulations, 2010. The authorized representative of the Appellant was duly clarified and made to understand that in view of security/safety concerns the connections cannot be granted.

4. In view of above discussion and arguments the authorized representative of the Appellant admitted that since the Appellant's premises is constructed partially under the HT Line, he wants to withdraw the instant case. His request was allowed and the authorized representative of the Appellant submitted a withdrawal letter before the Court which was taken on record.

5. In view of above, the appeal stands disposed of as withdrawn.


(S.C. Vashishta)
Electricity Ombudsman
11.02.2022