

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Grievance No. PGC/2019/A.II/DJB/02/ Date of hearing: 09.04.2019

Complainant : Shri Yatharth - Present.

Respondent : The Chief Executive Officer,
Delhi Jal Board, GNCTD.
Through Shri Raj Gopalan, Dy.Director(R) – Present

1. Brief facts of the complaint

1.1 Shri Yatharth filed a complaint in PGC on 24.1.2019 against the Delhi Jal Board for raising illegal bills.

1.2 Briefly put, the case of the complainant is that he has been running a education/tuition centre on the 1st floor of Premises No.53, South Patel Nagar, New Delhi (Total Area of 80 Sq.Yards approx. under occupation of the complainant). The said property under his occupation is the part of a multi-storey building i.e. 53 South Patel Nagar, New Delhi. An application was submitted for new water meter on 29.6.2016 to Zonal Engineer, Delhi Jal Board for the occupied part of the said property. After installing a new water meter on 9.1.2017, Delhi Jal Board did not approve the connection. The complainant has been harassed by raising illegal bills of about Rs.4.00 lacs which does not pertain in the name of the complainant nor the bill pertains to the said property under use of the complainant. In fact, the bill pertained to one Shri Nischal Singh, and the Property No.53 is presently under the use of 8 shops on G.F. and 15 families or more, who are living in this multi-storey building. Further, the complainant has paid all the bills as per the average monthly consumption, even for the last ten years since the user started getting the bill on the basis of occupied portion.

1. Brief facts of the case

2.1 On the last date of hearing, it transpired through the ATR of the respondent that there are two water connections having an outstanding due of Rs.61,681.13 which stands cut off w.e.f. 4.3.2015 and another connection KI.No.4484671000 with an outstanding due of Rs.3,60,996.20 which is running at site. This water connection is in the name of Shri Nischal Singh in the said premises. As per the documents, the said property was purchased from Shri Harbhajan Singh S/o. Nischal Singh. Notices were issued to both the consumers but no payment was received from the consumers. Hence, said application was cancelled due to non-payment of outstanding dues. The applicant is using the existing water connection in the name of previous owner. The Water connection No.4484671000 was running unmetered till 17.6.2016 and, on 19.6.2016 a new meter was fixed by the consumer. The current payments are being made by the consumer w.e.f. 03.3.2017 onwards and the present outstanding dues are Rs.5,44,492.20.

2.2 During the last proceedings, the complainant did not inform the Commission about the condition in the registered documents of Agreement to Sell and Purchase that "all dues such as house tax, lease money, water and electric bills etc. outstanding, if any, in respect of the above mentioned portion of the said shop under sale, shall be paid and borne by the First Party upto date of this Agreement to sell and purchase, and later on by the Second Party." Hence, the complainant was advised to produce "No dues" from the previous owner from whom he had bought this property and provide the same to Delhi Jal Board apart from having a meeting with the officers of DJB along with all his documents relating to water connection.

2.3 An ATR has been filed on behalf of Jt. Director(R), of the respondent stating that in the meeting convened on 7/3/2019, Jt. Director(R), HQ, heard both the parties with the following suggestion that

(i) Shri Pritpal Singh who had taken water connection in June 2010 and till June 2010, might have used the water of Shri Nischal Singh having WC No.448467100. So, he is liable to make the payment of water charges of this water connection till June 2010. Therefore, water bill of this connection upto June 2010 may be divided between both Shri Pritpal Singh and M/s. Yatharth.

(ii) The water charges raised thereafter is liable to be paid by M/s. Yatharth only.

2.4 The complainant filed copy of the registered documents today in during the proceedings in the Commission with regard to Agreement to Sell and Purchase in respect of property no. 53-54, First Floor, South Patel Nagar Market, New Delhi mentioning that all dues shall be paid and borne by the First Party upto date of the Agreement to sell and purchase, and later on by the Second Party.

2.5 The Commission notes that now the respondent has to issue a proper notice to the concerned party for recovery of the outstanding dues as per the Agreement to Sell and Purchase.

3. Directions:

3.1 In view of the above, Chief Executive Officer, Delhi Jal Board is advised to look into the matter personally and dispose of the grievances of the complainant by giving No Dues Certificate to the present owner as per the registered document of Agreement to Sell and Purchase.

3.2 The Dy.Director(R), Delhi Jal Board also assured to look into the matter and dispose of the same as per rules.

3.3 The complainant was also satisfied during the proceedings. He is also advised to provide a copy of the registered documents with regard to the above property to Dy.Director(R) for needful action.

3.4 With the above observations, case of the complaint is disposed of in the Commission with the advise to Chief Executive Officer, Delhi Jal Board to furnish a status report regarding disposal of the grievances of the Complainant to his satisfaction.

**(MRS. MADHU SHARAN)
MEMBER(PGC)**

No. No. PGC/2019/A.II/DJB/02/

Dated:

Copy to:

1. Chief Executive Officer, Delhi Jal Board, Govt. of NCT of Delhi, Varunalaya, Phase-II, Karol Bagh, New Delhi-110005
2. Director (F&A)/Nodal Officer (PGC), Delhi Jal Board, Govt. of NCT of

Delhi, Varunalaya Phase-II, Jhandewalan, Karol Bagh, New Delhi.

3. Jt. Director(R) Hq., Delhi Jal Board, GNCT of Delhi, Varunalaya Phase-II, Jhandewalan, Karol Bagh, New Delhi-110005.
4. Shri Yatharth.