



Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08NKS

C A No. Applied For
Complaint No. 183/2023

In the matter of:

Anil KumarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Ms. Seema Rawat & Ms. Divya Sharma, On behalf of BYPL

ORDER

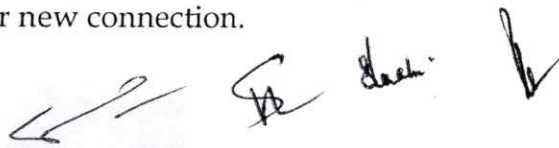
Date of Hearing: 15th June, 2023
Date of Order: 20th June, 2023

Attested True Copy

Secretary
CGRF (BYPL)

Order Pronounced By:- Mr. Nishat Ahmed Alvi, Member (CRM)

1. As per complaint, the complainant applied for new electricity connection at premises no. F-72, GF, West Jawahar Park, Laxmi Nagar, Delhi-110092 vide request no. 8006198834, but respondent rejected the application of the complainant for new connection due to site visit not completed, premises locked/number not reachable and consumer out of station, which is false statement. Therefore, he requested the Forum to direct the respondent for grant of his application for new connection.



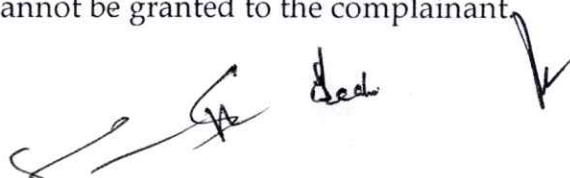
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2. OP in its reply briefly submitted that the complainant is seeking new connection for domestic purpose at ground floor of premises bearing no. F-72, West Jawahar Park, Laxmi Nagar, Delhi-110092 vide request no. 8006198834.

OP further added that site of the complainant was visited and as per site report at building consists of ground floor plus four floors over it. Each floor from first to four has two dwelling units. Ground floor is used for parking and has one dwelling unit. The premises are electrified through nine electricity connections. That for second floor there are three electricity connections whereas dwelling units are only two on second floor. Thus, the complainant may surrender the extra connection on second floor or can apply for name change as well as rectification of address in respect of third connection at second floor.

3. Counsel of the complainant rebutted the contentions of OP as averred in their reply and submitted that he has applied for new electricity connection on the ground floor and he has no concern with the connections energized on the second floor of the premises. He further submitted that he complied all the commercial formalities as per DERC Regulations 2017; therefore, he is entitled to get new electricity connection at the ground floor the applied premises.

4. LR of the OP rebutted the contentions of respondent as averred in their reply and submitted that the complainant has to get the extra connection at second floor disconnected for release of new connection in his name. OP further added that there are nine separate dwelling units in the entire premises and nine electricity connections are installed therefore another connection cannot be granted to the complainant.

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5. From the pleading of both the parties and material placed on record it is transpired that the new connection has been applied by the complainant on premises no. F-72, GF, West Jawahar Park, Laxmi Nagar under domestic category. Respondent pleaded that nine electricity connections already exists in the applied premises and there are total nine dwelling units, therefore new connection cannot be granted.
6. Perusal of consumer's of connections at second floor shows that none of three connections has any concern with the complainant. Therefore, we find no reasoning in OP's plea that since there are total nine independent dwelling units and it has already installed nine connections, complainant's request for connection at ground floor can't be granted. We have to see as to whether there is any connection at ground floor or not. If no then complainant's request for connection at Ground floor is valid. It makes no difference if OP has granted three connections at second floor ~~while~~ there are only two dwelling units. OP cannot punish the complainant for its own wrong. Furthermore we can't ignore various judgments passed by different High Courts and Hon'ble Supreme Court whereby electricity is held as basic amenity and Discom cannot deprive off a person from the same without any valid reason.
7. As per ruling of different High Court and Supreme Court. Lastly, as held by Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 electricity is basic amenity which a person cannot be deprived off.

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
ORDER


On the basis of aforesaid facts and circumstances we allow the complaint of the complainant with the direction to OP to release the new connection applied for by fulfillment of all commercial formalities.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. Proceedings closed.


(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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