



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

CA No. Applied for
Complaint No. 176/2022

In the matter of:

GyanenderComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
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. Imran Siddiqi, Ms. Shweta Chaudhary, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 02nd February, 2023
Date of Order: 22nd February, 2023

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. This complaint has been filed by Mr. Gyanender, against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Sushil Kumar applied for new electricity meter vide request no. 8005266132 at house no.A-11, FF, Khasra No. 48/1/2, Main Road, RST Enclave, Delhi-110094. He also submits that respondent rejected his application for new connection on the pretext of premises found in UP Area and no BYPL network exists near the premises.

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3. The respondent in reply briefly stated that the complainant applied for grant of new electricity connection vide application no. 8005266132 at premises no. A-11, FF, Khasra No. 48/1/2, Main Road, RST Enclave, Delhi-110094.

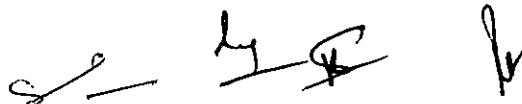
OP further submitted that site of the complainant was visited and it was found that applied premises is in UP area, hence TF was not feasible. After receipt of the present complaint, site of the complainant was revisited on 06.08.2022 and it was again found that applied premises falls in UP and no BSES-YPL network is available near the applied area. However, UP network is duly available in front of the applied site.

OP also submitted that one UP Electricity Board meter vide meter no. 1910104 already found installed at the applied premises, as such area falls in UP, BSES_YPL is not in position to grant fresh electricity connection at the subjected premises.

4. Heard both the parties and perused the record. Heard the arguments of Authorized Representative of the complainant and OP-BYPL.

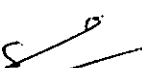


5. The main issue in the present case is whether the premise of the complainant falls in Delhi area or UP Area.

6. Representative of the complainant submitted that OP had already released many electricity connections in the subjected area. He further submitted that OP has also booked him for direct theft of electricity, which shows that he is resident of NCT of Delhi. He also submitted notarized GPA which also shows that his premises fall in Delhi territory.



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7. On the other side, LR of OP submitted that for release of new electricity connection complainant has to submit Land Revenue Record for confirmation that his premises falls in Delhi territory. OP further added that already UP state electricity connection is installed in the said property.
8. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and hearing both the parties it is transpired that the complainant asked for new connection at A-11, FF, Kh. No. 48/1/2, Main Road, RST Enclave. Complainant also submitted Khasra document which shows that Khasra No. 48/1/2 falls under Village Jeewanpur (Johripur) North East District of Delhi. The GPA submitted by complainant in his favour is dated 07.05.2004 by Sh. Narender Kumar Sharma on behalf of Sh. Ved Ram s/o Sh. Bharta. It is also evident that the same name of Sh. Ved Ram s/o Sh. Bharta is registered in the Khasra document of Karawal Nagar division.
9. Therefore, from the above deliberations it is evident that the premises of the complainant fall under Territory of Government of NCT of Delhi.
10. Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution. In the present circumstances, left side property and right side property of the applied premises already have BSES-YPL connection; therefore, the complainant who had applied for new connection in the same area cannot be deprived of his right to electricity.

s/   



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ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and without asking him DC/Revenue Record.

OP is also directed that if in future the demarcation of the area is done and premise of complainant falls under UP territory, OP is free to disconnect the electricity supply to the complainant.

OP is also directed to file compliance report to this office within 21 days from the issue of this order

Accordingly, the case is disposed off.

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


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN