



C A No. Applied for  
Complaint No. 13/2023

In the matter of:

Shyam Mahato .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mohd Mustafa Alam, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Gaurav, Mr. Nishant, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 21<sup>st</sup> March, 2023  
Date of Order: 31<sup>st</sup> March, 2023

Order Pronounced By:- Mr. H.S. Sohal, Member

1. This complaint has been filed by Mr. Shyam Mahato against BYPL-KRN.
2. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection on 11.03.2022 vide application no. 8005995465 for a load of 1 KW but respondent rejected the application of new connection of the complainant on the pretext of long service line upto 100 meters and same site enforcement dues.

Attested True Copy  
  
Secretary  
CGRF (BYPL)

1 of 4

Complaint No. 13/2023

The complainant again on 01.11.2022 applied for new electricity connection, this time again respondent rejected application of complainant by giving new reasons i.e. enforcement dues against CA No./meter, temporary structure found at site is in O zone area (Yamuna floodplains).

3. OP in its reply briefly stated that the complainant is seeking new electricity connection at Jhuggi no. 09, Rani Garden, Shastri Nagar, Delhi. The complainant applied for new connection vide application no. 8005995465 which was rejected by them because enforcement dues against CA/meter, temporary structure found at site is in O zone area (Yamuna floodplains). In year 2019 in order to curb theft of electricity in JJ Cluster area, Near Taj enclave one electricity connection bearing CA No. 152995508 was given on the basis of letter from MLA whereby through the said connection 17 Jhuggis in the area were electrified. The said connection was given in the name of Mr. Dinesh Sahani and the said 17 Jhuggis also included Jhuggi of father of the complainant. Later the said connection was disconnected on request of Mr. Dinesh Sahani against which as on date dues of Rs. 2,07,665/- are outstanding.

Regarding outstanding dues the same are in respect of theft bill in the name of the complainant and complainant himself before Lok Adalat settled the bill for an amount of Rs. 6,000/- out of which Rs. 3,000/- was paid on 18.02.2019, as settlement terms were not abided as such the complainant is now liable to pay the entire amount.

4. Arguments of both the parties are heard.
5. Representative of the complainant submitted an affidavit that their area does not fall in 'O' zone. As per the information provided by Delhi Development Authority "the areas of Shastri Park, Rani Garden and Geeta Colony falls under "E" zone as per the Master Plan". It was also submitted that the tentative list of unauthorized colonies in Zone O does

Attested True Copy

  
Secretary  
CGRF (BYPL)









of 4

Complaint No. 13/2023

not include Rani Garden, Geeta Colony and Shastri Park. The list of unauthorized colonies falling the zone 'E' includes Rani Garden extension, Shastri Nagar, and Rani Garden (Ambedkar Park) Shastri Nagar, Delhi-110031.

Counsel of the complainant further argued that there was never an electricity meter at the subject premise in the first place; therefore the enforcement dues raised against the complainant are false and frivolous. It was further added that neighbor of complainant namely Ms. Amla's electricity connection stands disconnected in terms of notice dated 08.06.2022. Ms. Amla still has an active connection at complainant's adjoining Jhuggi bearing CA No. 153597768.

Further it was added that the case of electricity theft against the complainant was settled by Delhi State Legal Services Authority, Special Lok Adalat dated 09.02.2019 bearing case ID No. YM040817SY041 wherein complainant paid Rs. 3000/- against full and final settlement of Rs. 6000/-. The respondent waived off the remaining Rs. 3,000/- considering the financial status of the complainant.

6. LR of the OP submitted that the premises of the complainant fall under O zone and there are pending enforcement dues, therefore, connection to the complainant cannot be released.
7. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that the complainant applied for fresh electricity connection in his name which respondent rejected reciting that the complainant's premises falls under 'O' zone area (Yamuna Floodplains) and pending enforcement dues.

Against the first rejection of the respondent that the complainant's premises falls under 'O' zone, the representative of the complainant

Attested True Copy  
  
Secretary  
CGRF (BYPL)





Complaint No. 13/2023

submitted tentative list of Unauthorized colonies falling in Zone 'E' includes Rani Garden Extension, Shastri Nagar, Delhi-110031 and Rani Garden (Ambedkar Park) Shastri Nagar, Delhi-110032.

Regarding the second objection of the respondent, pending enforcement dues which were settled by the complainant with Delhi State Legal Services Authority, Special Lok Adalat dated 09.02.2019 bearing case ID No. YM040817SY041 wherein complainant paid Rs. 3000/- against full and final settlement of Rs. 6000/-. The complainant is directed to make payment of balance settlement amount of Rs. 3,000/- as full and final settlement of the enforcement bill.


ORDER


Complaint is allowed. Respondent's objection that premises of the complainant falls under 'O' zone is not sustained as it has been found in E Zone as per plan submitted. Further, respondent is directed to release the new connection to the complainant after payment of the pending enforcement dues by the complainant and also taking undertaking from the complainant that if in future Govt. of NCT of Delhi release another/final list regarding areas falling in O zone OP is free to disconnect the supply of the complainant if his area/Jhuggi falls in O Zone.

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

The case is disposed off as above.

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

  
(S.R. KHAN)  
MEMBER-TECH

  
(P.K. SINGH)  
CHAIRMAN

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

Attested True Copy  
  
Secretary  
CGRF (BYPL)

  
(H.S. SOHAL)  
MEMBER