

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-11003
Phone: 32978140 Fax: 22384881
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SECY/CHN 015/08NK

C A No. Applied For
Complaint No. 23/2025

In the matter of:

Ankit Pal

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Agrawal, Member (Legal)
2. Mr. S.K Khan, Member (Tech.)
3. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 23rd April, 2025

Date of Order: 29th April, 2025

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection vide request no. 8007402268 at premises no. P-173, 2nd floor, Gali no. 10, Village Tahirpur, Delhi-110095, but respondent rejected the application of the complainant for new connection on grounds of separate dwelling unit not existing, connection already exists.

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Secretary
CGRF (BYPL)

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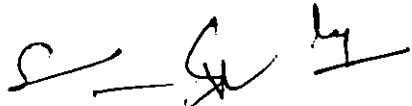
2. OP in its reply submitted that the complainant is seeking new domestic connection for premises bearing no. P.No. 173, 2nd floor, Gali no. 10, Village Tahirpur, Delhi-110095 vide request no. 8007331997 and same was rejected on grounds of applied site consists of 7 connections against 7 feasible existing dwelling units and complainant is seeking a new DX connection for second floor. which is rejected since no separate dwelling unit exists and in the light of the fact that meter already exists. Hence, no separate dwelling unit exists at the applied site for grant of new connection as mandated under the DERC Supply Code 2017.
3. Counsel for the complainant filed rejoinder and refuted that contentions of the respondent as averred in their reply and submitted that the complainant has applied for new connection at second floor. He further stated that he has separate dwelling unit at the second floor as per DERC Regulations 2017. He also submitted floor wise meters and their usage.
4. OP was directed to conduct site visit mentioning the floor wise details of the meters. OP submitted site visit report dated 16.04.2025 stating therein that at the time of visit, it is found that applied site is mix building joint with beside LHS building of consumer brothers same address P.No. 173.

From First Floor to second floor and roof separated but from ground floor both properties are attached no separation, total seven no of meters found at site.

The site visit report also shows site map showing that there are two dwelling units each at first floor and second floor and first floor have two connections, ~~one~~ but second floor has only one connection and other dwelling unit is without electricity. There is one more meter installed for Reliance Infra Tel Ltd. tower.

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5. Arguments of both the parties were heard.
6. From the narration of facts and material placed before us we find that first floor and second floor have two separate dwelling units each. There are electricity connections in both the dwelling units at the first floor and one connection on the second floor one unit. The complainant has applied for new connection on second floor, which was rejected by OP on grounds of no separate dwelling unit, but the site visit report of OP shows that there is separate dwelling unit at second floor and the IR placed on record by OP also shows same site plan. Thus, the objection of OP is not justified and we cannot deprive the complainant of his right to basic amenity of life.
7. Therefore, OP is hereby directed to grant the application of the complainant for electricity connection in the applied premises. Since, water and electricity is integral part of right of life. Hon'ble Supreme Court in the matter of Dilip (dead) LR Vs Satish, in the case no. SSC 810 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.
8. Therefore, respondent may be directed to provide the connection with the condition that at the time of release of new connection.



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ORDER

The complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007331997 at premises no. P.No. 173, 2nd floor, Gali no. 10, Village Tahirpur, Delhi-110095 after completion of all the commercial formalities as per DERC Regulations 2017.

This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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

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