

C G R F



B Y P L

# 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

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SECY/CHN 015/08NKS

C A No. Applied for  
Complaint No. 95/2025

In the matter of:

Archana Sharma

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

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. Shanky R.S. Gupta, A.R. of the Complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Arpita Verma, Mr. Dinesh Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

## ORDER

Date of Hearing: 22<sup>nd</sup> May, 2025

Date of Order: 26<sup>th</sup> May, 2025

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

1. The present complaint has been filed by Ms. Archana Sharma against BSES- G T Road.
2. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 31/432, GF, Pvt. Plot K, Friends Colony, Street no. 2, GT Road Industrial Area, Shahdara, Delhi-110032. vide request no. 8007374686.

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CGRF (BYPL)

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The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of Address in MCD Objection of polluting unit, NOC or completion and occupancy certificate required, connection already exists, DPCC, MSME required.

3. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity connection at the property bearing no. 1/432, GF, Pvt. Plot no. K, Friends Colony, Street no. 2, GT Road Industrial Area, Shahdara, Delhi vide application no. 8007374686. The application of the new connection was rejected on account of
  - connection already exist vide CA no. 151396045 in the name of Anita Gupta at the ground floor of the applied premises.
  - Another connection exist at site vide CA no. 151088200 in the name of Suresh Gupta.
  - Applied site is booked by MCD on account of polluting unit at first and second floor.

Hence, Violation of the provisions of Electricity Act & Regulations framed in respect of DERC (Supply Code & Performance Standards) Regulation, 2017.

4. The complainant in an application dated 22.04.2025, stated that his case be put up for arguments.
5. During the course of arguments, OP was directed to produce K.No. file of connection having CA no. 151396045 and also file joint inspection report.



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6. Arguments of both the parties are heard.

7. From the narration of the facts and material placed before us we find that the complainant applied for new electricity connection vide request no. 8007374686 at premises no. 1/432, GF, Pvt. Plot K, friends colony, street no. 2, GT Road Industrial Area, Shahdara, Delhi-110032. OP objected that already a connection in the name of Anita Gupta is energized at the ground floor of the applied premises therefore they cannot release the new connection to the complainant who has also applied for new connection on the ground floor. The complainant in support of his contention placed on record property documents which show that the complainant is the owner of ground floor of the subject property via registered sale deed dated 06.02.2018 by Smt. Anita Gupta in favour of Archana Sharma for built up ground floor up to ceiling level only without roof rights for area measuring 20 sq yards.

From perusal of the K.No. file of Anita Gupta, it is transpired that Smt. Anita Gupta was owner of plot without any structure over it. The OP also admitted to this fact.

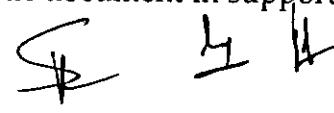
Now, the premises in question have building structure basement + ground + first +second + third floors. All the other floors in the building have electricity connections. Only the portion of the complainant i.e. the ground floor is without electricity.

The site visit report submitted by OP states that "applied consumer of GF have no any meter and GF meter used by owner at first floor Mrs. Anita Gupta and no floor meter no. 17142438 also used by Suresh Gupta second floor owner husband of Anita Gupta.

The other objection of OP regarding MCD objection of polluting unit, OP has not placed on record any authentic document in support of their objection.

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8. In view of the above we are of the considered opinion that the ground floor of the premises is without electricity. The earlier no floor connection in the name of Anita Gupta is now catering supply to first floor, which has not been transferred on first floor as per law. Therefore, OP should take appropriate action as per law for the above said connection.

The connection applied for by the complainant cannot be denied. 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.

9. We are of the view that the respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file an affidavit that if MCD takes any action against the encroached property then OP should be at liberty to disconnect the supply of the complainant.

ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and after giving the undertaking regarding the fact that whenever MCD in future will take action against the illegal construction, OP is free to disconnect the new electricity connection.

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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.

*On behalf*  
(H.S. SOHAL) *by* (P.K. AGRAWAL) *Sub 95/25* (P.K. SINGH)  
MEMBER MEMBER (LEGAL) MEMBER (TECH.) CHAIRMAN  
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CGRP (BYPL)