



# 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,

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## C A No. Applied For Complaint No. 118/2022

### In the matter of:

Devendra Kumar Jain .....Complainant

### VERSUS

BSES Yamuna Power Limited .....Respondent

### Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mr. Nishat Ahmed Alvi, Member (CRM)

### Appearance:

1. Mr. Devendra Kumar Jain, Complainant
2. Mr. Imran Siddiqi, Ms. Ritu Gupta, Mr. Deepak Jain, Ms. Shweta Chaudhary & Ms. Katha Mathur, On behalf of BYPL

### ORDER

Date of Hearing: 14<sup>th</sup> July, 2022

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### Order Pronounced By:- Mrs. Vinay Singh, Member (Law)

Briefly stated facts of the case are that the complainant applied for new electricity connection and the respondent had not install the meter till date.

The complainant's grievance is that he applied for new domestic connection on 23.03.2022 vide application no. 8005508885. Official of the respondent also conducted site visit but did not give site verification report to complainant. Thereafter he received a SMS on 25.03.2022 mentioning therein that connection is technically not feasible. He made complaint and thereafter he had virtual

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meeting with the official of the licensee where he provided details of the already installed meter in the building. But respondent rejected his application for new connection on grounds that building structure is ground +2 and there is complete commercial activity on ground floor two domestic connections already exists in the building and one commercial connection is also there at the ground floor, therefore new domestic connection cannot be granted. Therefore, he requested the Forum to direct the respondent for immediate release of new connection.

Notices were issued to both the parties to appear before the Forum on 12.07.2022.

Respondent submitted their reply stating therein that the complainant is seeking new electricity connection for second floor of premises bearing no. Khasra No. 34/1/1A-1/2, Main 30 feet Road, Shanti Nagar, Shiv Vihar, Delhi. Complainant applied for new electricity connection vide request no.8005508885, the site was duly verified and it was found that building structure is Ground + two floors, three meters are already installed i.e. one NX and two DX connections, on ground floor in one room there is one general store shop which has NX connection and other portion of the ground floor there is Mohalla Clinic (rented on private property) and on first and second floor there is residential activity and first floor already has one DX connection.

The matter was listed for hearing on 12.07.2022, when complainant was present in person. Forum noted that second floor of the premises was earlier used as godown but now it has been converted into single dwelling unit having separate entry and separate kitchen. Due to ineffective hearing, case was adjourned to 14.07.2022.

*Deek*

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The matter was finally heard on 14.07.2022, when arguments of both the parties were heard and matter was reserved for orders.

We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection on the second floor of premises no. Kh. No. 34/1/1 A-1/2, Main 30 feet Road, Shanti Nagar, Shiv Vihar, Near Shiv Mandir, but respondent rejected the application of new connection of the complainant on pretext that already two domestic connection installed in the premises and building is ground + 2 floor and one commercial connection is installed at the ground floor.

During the course of hearing the complainant clarified that ground floor is divided into two portions. In one portion one commercial connection is installed which is used in general shop and on the other part of the ground floor is Mohalla Clinic and one domestic connection is installed in this Mohalla clinic. The other one domestic connection is installed at the First floor of the premises and now he has applied for new domestic connection on the second floor of the premises.

As per DERC Regulations 2017 narrated below:-

10. New and Existing Connections:- (1) General:-

(vi) Wherever, one dwelling unit has been sub-divided and separate kitchen as well as separate entry is available, second electric connection may be given to the lawful occupant.

In view of above, we are of considered opinion that the complainant fulfills all the requirements as per above stated DERC Regulation.

*Deek*

*W. J. D.* 3 of 4

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Electricity is essential requirement of livelihood and it is right of a person to enjoy the electricity because as it is decided by Himachal Pradesh High Court, in the matter of Madan Lal Vs State of Himachal Pradesh & Ors. Where it was stated that the right to water and electricity supply is an integral part of right to life under Article 21 of the Constitution of India.

Therefore,

We direct the respondent that new connection should be released to the complainant on the second floor as desired by the complainant as per DERC Regulations 2017 and after fulfilling all the commercial formalities.

**The case is disposed off as above.**

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

Respondent should file compliance report within 21 days from the date of this order.



(NISHAT AHMED ALVI)  
MEMBER (CRM)



(VINAY SINGH)  
MEMBER (LAW)  
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