



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

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SECY/CTN 01/SUBNK

C A No. Applied For
Complaint No. 100/2024

In the matter of:

Mohd Aslam

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A 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. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Akash Swami, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 28th May, 2024

Date of Order: 06th June, 2024

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. This complaint has been filed by Mohd. Aslam against BYPL-Laxmi Nagar. The brief fact of the case giving rise to this grievance are that the complainant applied for new electricity connections vide request no. 8006758519, 8006760125, 8006758544, 8006758824, 8006758720, 8006758801 and 8006758810 at premises no. 212-A, J extension, Laxmi Nagar, Delhi-110092.

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Secretary
CGRF (BYPL)

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OP rejected the application of the complainant for new connections on the pretext of 'address in MCD list and MRO required'.

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking new connections as under:

Application no	Address
8006758519	212-A, U G/F, F/S, J-extension, Laxmi Nagar, Delhi-110092
8006760125	212-A, U G/F, B/S, J-extension, Laxmi Nagar, Delhi-110092
8006758544	212-A, U F/F, F/S, J-extension, Laxmi Nagar, Delhi-110092
8006758801	212-A, U F/F, B/S, J-extension, Laxmi Nagar, Delhi-110092
8006758810	212-A, U S/F, F/S, J-extension, Laxmi Nagar, Delhi-110092
8006758824	212-A, U S/F, B/S, J-extension, Laxmi Nagar, Delhi-110092
8006758720	212-A, U T/F, F/S, J-extension, Laxmi Nagar, Delhi-110092

OP further stated that all the above said applications of the complainant were rejected on account of unauthorized construction in the shape of GF, FF, SF, TF and FF being booked on 20.10.2022 in the name of Mohd Aslam.





3. During the course of hearing, the counsel of the complainant submitted Form D-1, Occupancy Cum Completion Certificate dated 26.04.2024 vide online ID 20007819 for property no. 212-A, J-extension, KhasraNo. 54/25, Laxmi Nagar, Shahdara, Delhi-110092. OP seeks time for verification of the same.
4. OP vide its mail dated 27.05.2024, stated that 'the submitted BCC is not traceable at site and also applicant is sending some random link to check this BCC. As the submitted BCC is not traceable at official MCD website/link shared by Executive Engineer MCD.

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5. Heard both the Parties and perused the record.
6. The counsel of the complainant vide its letter dated 04.06.2024 submitted screen shot of MCD portal showing BCC details filed by the complainant, stating that MCD has issued Completion Certificate.
7. From the narration of facts and material placed before us we find that complainant submitted MCD website screenshot showing that the completion certificate has been issued MCD.
8. Thus, the objection of the OP is no justified and we cannot deprive the complainant of electricity. Therefore, OP is hereby directed to grant the application of the complainant for electricity connection in the applied premises.
9. Water and electricity is integral part of right to life. Hon'ble Supreme court in the matter of Dilip (dead) LR Vs Satish, in the case no. SCC 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.
10. In the facts and circumstances aforesaid, 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 in future MCD takes any action against the her property then OP should be at liberty to disconnect the supply of the complaint is allowed.

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Secretary
CGRF (BYPL)

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ORDER

Complaint is allowed. OP is directed to release the new electricity connections as applied for by the complainant vide application no. 8006758519, 8006760125, 8006758544, 8006758824, 8006758720, 8006758801 and 8006758810 at premises no. 212-A, J extension, Laxmi Nagar, Delhi-110092 after completion of all the commercial formalities as per DERC Regulations 2017 and after submitting the undertaking by the complainant regarding the fact that Whenever MCD/any Government Agency in future takes any action, OP is free to disconnect the new electricity connections.


OP should file compliance report within 21 days from the date 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


(H.S. SOHAL)
MEMBER

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Secretary
CGRE (BYP)