



## 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

Phone: 32978140 Fax: 22384886

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SECY/CHN 01/508NKS

### C A No. Applied for Complaint No. 17/2025

In the matter of:

Naeem & Others

.....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. Akash Ruhela, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

### ORDER

Date of Hearing: 21<sup>st</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 Mr. Naeem & Others against BSES Darya Ganj.
2. The brief fact of the case giving rise to this grievance is that the complainants applied for new electricity connections at premises no. 31737, Gali Mohd, Hanif Hauz, Sui. Walan, Daryaganj, Delhi-110002. vide request no. 8007279673, 8007282802 and 800727282800.

Attested True Copy

Secretary

(BYPL)

Complaint No. 17/2025

The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of Address in MCD Objection and same site dues exist.

3. The respondent in reply briefly stated that the present complaint has been filed by complainants seeking new electricity connections at different floors of the property bearing no. 1737 vide application no. 8007279673, 8007282800 and 8007282802. The application of the new connection was rejected on account of **Firstly**; property is in MCD Objection list dated 26.12.2015 at sl. no. 30, in the name of Hazi Sajid/owner/builder in the nature of unauthorized construction at GF, FF, SF and third floor with projection on Mpl land. **Secondly**; pending energy as well as enforcement dues at the applied premises.

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

4. Despite ample opportunities given to the complainant, the complainant failed to file rejoinder.
5. During the course of arguments OP was directed to submit site visit report. As per the site visit report it was mentioned that it is a katra type property have approx 40 premises. During the site visit, the official cannot identity the MCD booked premises, so MCD booked premises not confirmed.
- Also, it came to the knowledge of the Forum that the OP has already released connections in the applied building in the year 2022 and 2023 i.e. after MCD booking in the year 2015.

Complaint No. 17/2025

6. Arguments of both the parties are heard.
7. In view of the above facts and circumstances it is transpired that it is not confirmed whether which part is booked, therefore, in the absence of the any authentic booking documents which can prove which part of the property is booked, this Forum cannot deny electricity connections to the complainant. Also, OP itself has released the connections in the applied building of the complainant, which shows that OP itself is not sure which part is booked by MCD. Therefore, in the absence of authentic documents, new connections cannot be denied to the complainant.
8. 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.



Complaint No. 17/2025

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.

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 leave*  
(H.S. SOHAL)  
MEMBER

*[Signature]*  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

*[Signature]*  
(S.R. KHAN)  
MEMBER (TECH.)

*[Signature]*  
(P.K. SINGH)  
CHAIRMAN  
4 of 4

Attested True Copy

*[Signature]*  
Secretary  
CORP (BYPL)