

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 015/08/NK

C A No. Applied for Complaint No. 612/2024

In the matter of:

Noor SabaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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. Aslam Parvez, Counsel of the complainant
2. Mr. R.S. Bisht & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 27th February, 2025

Date of Order: 03rd March, 2025

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 2967, Second Floor, Left side, Kucha Maidass, Ward No. IX, Bazar Sita Ram, Delhi-110006, vide requests no. 8007122539, ONDRG1208240153 & ONDRG1208240133. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of Address in MCD Objection List for unauthorized construction.

Attested True Copy
Secretary
CGRF (BYPL)

Complaint No. 612/2024

The respondent in reply briefly stated that the present complaint has been filed by complainant seeking new electricity connections at second floor left hand side and right hand side of property bearing no. 2967, Kucha Maidass, Ward No. IX, Bazar Sita Ram, Delhi-110006, vide requests no. 8007122539 & 8007122542. The applications of the new connections were rejected on account of property is in MCD Objection list of unauthorized construction first Vide letter no. D-301/EE(B)-II/City-S.P.Zone/2022 dated 25.10.2022 at serial No. 7 in the shape of unauthorized construction at ground, first, second, third, fourth & fifth floors. It is submitted that new connections are provided as per Electricity Act and regulations framed in respect thereto DERC (Supply Code and Performance Standards) Regulations 2017.

2. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the applied premises are not booked by MCD. OP has already released nine connections in the applied building. There is no need of taking further NOC for the installation for applied connections floor.
3. Both the parties were directed to conduct joint site visit. The site visit report dated 14.02.2025 placed on record stated as under:-
 - a) Total number of building of 2967 is (3).
 - b) New building seems like to be (2).
 - c) Total no of (G+5) is (2).

As per site visit found two new (G+5) building, both building found new so MCD booked building not confirmed.

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4. We have gone through the submissions of both the parties. From the narration of facts and material placed before us we find that the complainant applied for new electricity connections which OP rejected on pretext of building booked by MCD. OP filed site visit report stating therein that multiple premises of same address exist. It is not clear which address booked by MCD. OP failed to establish that the property is booked by MCD and already they have released nine connections in the same building.
5. In view of the above, we are of considered opinion that the complainant cannot be denied new connection therefore; the objection of OP is not justified and we cannot deprive the complainant his right of electricity. Therefore, OP is hereby directed to grant the applications of the complainant for electricity connections in the applied premises.
6. 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.
7. Therefore, 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 adverse action against the his property then OP should be at liberty to disconnect the supply of the complaint.

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Secretary
CGRF (BYPL)

Complaint No. 612/2024

ORDER

The complaint is allowed. Respondent is directed to release the new connections applied by complainant vide application no. 8007122539 & 8007122542 at premises no. 2967, Second Floor, LHS & RHS, Kucha Maidass, Ward No. IX, Bazar Sita Ram, Delhi-110006 after completion of all the commercial formalities required for giving connection as per DERC Regulations 2017 and submitting the undertaking by the complainant regarding the fact that if in future any authority takes any action, OP will be free to disconnect the new electricity connection without any further notice.

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.

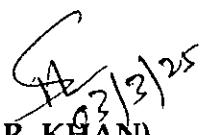
The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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.)


(P.K. SINGH)
CHAIRMAN

Attested True Copy

Secretary
CGRF (BYPL)