

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act, 2001)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma
Shahdara, Delhi-11003
Phone: 32978140 Fax: 2238488
E-mail: cgrfbypl@hotmail.com
SECRETARY

C A No. Applied for
Complaint No. 199/2025

In the matter of:

Prem Singh

..... 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)

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL.

ORDER

Date of Hearing: 12th August, 2025

Date of Order: 25th August, 2025

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection at premises no. 10468/1, at Gali No. 2, Bagichi, Allaudin, Motia Khan, Paharganj, Delhi-110055, vide request no. 8007437662. The application of complainant was rejected by OP on the pretext of MCD Objection NOC or Completion and occupancy Certificate required.

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2. The respondent in their reply briefly stated that the complainant applied for new electricity connection vide application no. 8007437640 for address 10468/1, 4th floor, Gali no. 2, Bagichi Allauddin Motia Khan, Pahar Ganj, Delhi-110055 and vide application no. 8007437662 for address 10468/1, 4th floor, gali no. 2, Bagichi Allauddin, Motia Khan, Pahar Ganj, Delhi-110055. Inspection was carried out on 18.02.2025.

The applications of the complainant were rejected on the grounds that the Building Completion Certificate/ Architect Certificate for height of building was not given.

Reply further stated that the said building is booked by MCD vide list dated 09.06.2023 for unauthorized construction.

OP further submitted that MCD is proper and necessary department which can elaborate about MCD list dated 09.06.2023 and prayed to made MCD as party in the present case.

3. Counsel for the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted the complainant applied for new electricity connections vide request no. 8007437640 at ground floor and application no. 8007437662 on fourth floor under domestic category. The complainant further submitted that as per MCD booking list, the property bearing no. 10468, gali no. 3 & 4, Bagichi Allauddin, Motia Khan, Delhi was wrongly booked by MCD. Actually the complainant is owner of property bearing no. 10468/1 gali no. 2, Bagichi Allauddin, Motia Khan, Paharganj, Delhi. The complainant approached MCD department and moved an application regarding booking of property bearing no. 10468/1, gali no. 2. MCD in their letter dated 11.01.2024 cleared that "as per record of building department, CT SP Zone, no any booking is found in respect of property bearing no. 10468/1, Gali No. 2, Bagichi Allauddin, Motia Khan, Paharganj, Delhi". It is also submitted that there are four properties of same address and the complainant's property is of 40 sq. yards only.

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Complainant further stated that already three connections in the same premises are released by OP after the orders of Hon'ble Forum in C.G. No. 254/2024. Forum in their order dated 08.07.2024 directed the respondent to release the electricity connections at multiple floors of property bearing no. 10468/1.

4. Arguments of both the parties were heard.
5. From the narration of facts and material placed before us, the Forum has taken strict view of the fact that when Forum has already ordered to release the new electricity connections in the same premises and has rejected the grounds of OP taken for rejecting the applications of the complainant for new connection in the matter having C.G. no. 254/2024, the OP again applied same objection for releasing other two connections of the complainant in the same premises at the ground floor and fourth floor.
6. The complainant has already submitted relevant documents in his support which prove that his property is different from the booked property and this Forum has ordered to release the connections applied for by the complainant.

The relevant extract from the previous order dated 08.07.2024 of the Forum is as under:-

"We find that the complainant has placed sufficient documents in support of his contention that its not his property which is booked by MCD and it is other property which falls in Gali no. 3 and 4 which is booked by MCD. Thus, the objection of the OP is not justified and we cannot deprive the complainant of electricity. Therefore, OP is hereby directed to grant the application of the complainant for electricity connections in the applied premises.

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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.

In view of 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 Property then OP should be at liberty to disconnect the supply of the complainant is allowed."

7. In view of the above, we are of considered opinion that OP has unnecessary harassed the complainant by not releasing the new electricity connections. Therefore, OP is liable to pay the complainant compensation, as per Regulation 73 and 74 read with Schedule-I of the regulations 2017, for the undue harassment caused to the complainant on account of non-release of the new electricity connections.

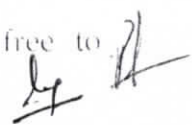
ORDER

The complaint is allowed. OP is directed to release the electricity connection as applied for by the complainant vide request no. 8007437640 and 807437662 at premises no. premises No. 10468/1, ground floor and fourth floor, Gali No. 2, Bagichi, Allaudin, Motia Khan, Paharganj, Delhi-110055 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.

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OP is further directed to pay complainant a lumpsum compensation of Rs. 10,000/- for undue harassment caused to the complainant on account of non-release of the new electricity connections as applied for by the complainant.

OP is directed to file compliance report within 21 days of the action taken on this 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.


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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