

C G R F



B Y P L

# 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 015/08NKS

## C A No. Applied for Complaint No. 604/2024

### In the matter of:

Rajender Kumar

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

### ORDER

Date of Hearing: 11<sup>th</sup> March, 2025

Date of Order: 18<sup>th</sup> March, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 376, Old Seemapuri, Shahdara, Delhi-110095, vide requests no. 8007235290. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of MCD NOC or Completion and Occupancy Certificate required, but complainant stated that he had installed a temporary meter during the construction of his house and now he wish to switch to domestic meter but his application has been rejected 4 time.

*for  
Agrawal*  
Attested True Copy

Secretary  
CGRF (BYPL)

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Further he stated that his house is DDA allotted and there is no issue from MCD side and his premises is not booked in MCD as his neighbor's building is booked under MCD.

2. The respondent in reply briefly stated that the present complaint has been filed by complainant is seeking new electricity connection of the property bearing no. 376, Old Seemapuri, Shahdara, Delhi-110095, vide requests no. 8007235290. The application of the new connection was rejected on account of property appearing in MCD Objection list of unauthorized construction "in the shape of G/F, F/F, S/F, T/F and fourth floor" vide letter no. EE(B)-I/SH-N/2019/D-61 dated 12.04.2019 at serial No. 12. Hence, legal valid and variable BCC is mandatory for the grant of new connection.  
Hence, Violation of the provisions of Electricity Act & Regulations framed in respect of DERC (Supply Code & Performance Standards) Regulations, 2017

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the applied address was never booked by MCD. Complainant stated that the subject premises are in use and occupation of the complainant, thus, no question of booking of property bearing no. H-376, Old Seemapuri, Delhi and property bearing no. H-376-A, Old Seemapuri, Delhi is distinct from the property bearing no. H-376, Old Seemapuri, Delhi. Complainant already has a temporary meter which was installed for construction. Complainant filed bill of temporary meter along with rejoinder.

for  
Bhawna  
Attested True Copy

Secretary  
CCPF (BYPL)

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4. During the hearing, OP was directed to produce K. No. file of the temporary connection CA No. 351402008 in the name of Mr. Rajender Kumar in which the address of the complainant is mentioned H-376, Old Seemapuri, Shahdara, Delhi-110095.
5. From the narration of facts and material placed before us we find that complainant applied for new electricity connection which OP rejected on pretext of MCD Objection as the premises booked due unauthorized construction. Regarding this objection of OP, that building is booked by MCD, in this regard, complainant stated that his premises is not booked by MCD and a temporary connection installed by respondent for construction. It is clear from the K. No. file complainant address is H-376 and booked property no. H-376-A are different.
6. Thus, the objection of 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.
7. 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.

for  
Ashwini

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CGRF (BYPL)

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8. 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.

ORDER

The complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007235290 at premises no H-376, Old Seemapuri, Shahdara, Delhi-110095 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.

*for  
please*  
Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

Attested True Copy

Secretary  
CGRF (BYPL) (P.K. AGRAWAL)  
MEMBER (LEGAL)

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

*PS*  
(P.K. SINGH)  
CHAIRMAN