

# 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. 343/2023

### In the matter of:

Satveer Singh .....Complainant

### VERSUS

BSES Yamuna Power Limited .....Respondent

### Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad 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. Suraj Aggarwal, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Deepak Verma & Ms. Chhavi Rani, On behalf of BYPL

### ORDER

Date of Hearing: 19<sup>th</sup> October, 2023

Date of Order: 27<sup>th</sup> October, 2023

### Order Pronounced By:- Mr. P.K. Singh, Chairman

1. This complaint has been filed by Mr. Satveer Singh, against BYPL-NNG.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Satveer Singh applied for new electricity connection vide application no. 8006438524 at premises no. 644-A, Kh. No. 137, Gali No. 15, Pratap Nagar, Delhi-110093 and respondent

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rejected the application for new connection on pretext of NOC from DC revenue/advisory committee required area falls in UP. Therefore, complainant's application for release of new connection may be granted.

3. The respondent in reply briefly stated that the complainant applied for grant of new electricity connection vide application no. 8006438524 in property bearing no. 644-A, Khasra no. 137, Gali no. 15, Pratap Nagar, which is claimed to be exists in Delhi.

The said application was rejected on account of subject premises falling within the UP area and as such UP network exists in the subject locality. The complainant was earlier having UP electricity connection as evident from electricity bill slip in the name of complainant issued by UP Electricity Board.

OP also added that the complainant's contention that respondent has released many connections in the neighborhood area, meters and poles of Delhi are installed. In this regard OP submitted that the electricity connections are old connections that were energized before 2009. On 20.07.2009 Ld. DERC issued a communiqué no. F.7(23)/DERC/Biannual Report-Omb/2005-06/1575 to the respondent enclosing a copy of Ombudsman's Biannual Report for the period 01.01.2009 to 30.06.2009 directing for submission of parawise reply to the same and directing to rule out any possibility of recurrence of the events referred to the in the Report. The 9<sup>th</sup> bi-annual Report dated 10.07.2009 for the period 01.01.2009 to 30.06.2009 issued by the electricity Ombudsman, NCT of Delhi.

Regarding the other connections released, OP stated that these connections were wrongly released by the TFE and therefore, 'Termination of electricity Agreement' notices dated 25.09.2023 have been duly served to all the three registered consumers.

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COKF (BYPL)

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Complaint No. 343/2023

4. Representative of the complainant submitted copy of Khasra Girdwari of Khasra No. 137, of Village Saboli, Shahdara, Delhi. He also submitted sketch of site showing that new connection has been released by OP vide CA no. 154153348 in the adjoining property. As per the sketch UP network is in Gali No. 14 and Gali no. 15 have Delhi connections. He also submitted that the left hand side premises and the right hand side premises of the complainant have BSES meter. The opposite side of the premises of the complainant also have BSES meter. He also submitted an affidavit stating therein that his premises falls within the limits of Delhi area and BYPL has issued electricity connection around his premises for which the map and Revenue Department document is attached with the affidavit. There are no dues pending against the said property and if any dues are found pending then he will deposit the same to BSES/DVB and shall be responsible if the said meter is removed by DVB/BSES.
5. On the other side, LR of OP submitted that for release of new electricity connection complainant has to submit Land Revenue Record for confirmation that his premises falls in Delhi territory. OP further added that already UP state electricity connection was installed in the premises of the complainant which is evident from electricity bill slip in the name of the complainant issued by UP Electricity Board.
6. The main issue in the present case is whether the premise of the complainant falls in Delhi area or UP Area. If in Delhi then can the electricity connection applied for by the complainant be granted.

Attested True Copy

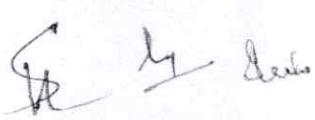
  
Secretary  
CGRF (BYPL)

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7. The onus, to prove that the applied premises fall in Delhi lies firstly on the person who wants connection claiming Delhi Jurisdiction i.e. complainant. In support of his contention complainant has placed on record notarized General Power of Attorney dated 24.05.2001 in favour of Savitri Devi w/o Sh. Satveer Singh for built up property of land area measuring 50 sq yards out of Khasra No. 137, bearing the property no. 644-A, situated at village Saboli in the abadi of Gali No. 15, E-block, Pratap Nagar, Saboli Village, Illaqa Shahdara, Delhi and to substantiate this claim, the complainant also submitted Khasra Girdwari of Khasra No. 137, of Village Saboli, Shahdara, Delhi. We have gone through various orders/judgments passed by various forums and Courts.
8. Against this evidence of the complainant, OP not denying the said Khasra Girdwari, further stating that this is a sandwich network of BSES YPL and UP Discom meters in the subject area. OP reiterated that there was UP Electricity Board meter installed in the premises of the complainant, therefore, they cannot release the new connection to the complainant.
9. 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. In the present circumstances, left side property and right side property of the applied premises already have BSES-YPL connection; therefore, the complainant who had applied for new connection in the same area cannot be deprived of his right to electricity.

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Secretary  
CGRF (BYPL)





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ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and without asking him DC/Revenue Record.

OP is also directed to file compliance report to this office within 21 days from the issue of this order

Accordingly, the case is disposed off.

No order as to the cost. Both the parties should be informed accordingly.  
Proceedings closed.

(P K SINGH)  
CHAIRMAN

(S.R. KHAN)  
MEMBER-TECH

(P.K.AGRAWAL)  
MEMBER-LEGAL

*Deekha*  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

ON LEAVE  
(H.S. SOHAL)  
MEMBER

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