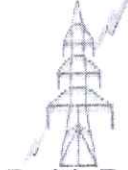


C G R F



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
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN.015/08NKS

C A No. Applied For
Complaint No. 433/2024

In the matter of:

Sunil 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 (Tech.)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Sandeep Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S Bisht & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 07th January, 2025
Date of Order: 13th January, 2025

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

1. The complaint has been filed by Mr. Sunil Kumar against BYPL-GTR.

2. The brief facts of the case giving rise to this grievance are that the complainant applied for new connection vide request no. 8007041775

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Secretary
CGRF (BYPL)

at premises no. A-398, S/F near Govt School, New Seemapuri, Delhi - 110095.

(Handwritten signatures)

Complaint No. 433/2024

The application of the complainant was rejected due to "Mismatch between applied address and existing meter", but complainant stated that he has provided correct address which is A-398, New Seema Puri. Therefore, he requested the forum to direct the respondent for release of new connection.

3. OP in its reply briefly stated that the complainant is seeking new DX connection on the second floor of premises bearing no. A-398, Near Govt School, New Seema Puri, Delhi -110095, vide application no. 8007041775.

Upon inspection it was found that the complainant applied for a new DX connection at the aforesaid premises, however this address is inconsistent with the existing meter available at the premises. It is submitted that the applied site has an existing connection with the address i.e. A-397, New Seema Puri, Shahdara, Delhi -110095, and now the complainant has applied on the premises bearing address as A-398, S/F Near Govt School, New Seema Puri, Delhi -110095, hence this amounts to address mismatch. Respondent submits that the applied premises are joint property which is clearly evident from the site inspection report already annexed. Accordingly, the complainant is required to apply upon both the properties by detailing out the ownership papers of the both the properties failing which no new connection can be released.

4. In response to the reply the complainant filed rejoinder. The complainant has applied for new DX connection but the address noted by the BSES division is not correct and the correct address is as A-398, S/F New Seema Puri, Delhi -110095. The respondent company fails to register the proper supply address of the complainant.

Attested True Copy


Secretary
CGRF(BYPL)



Complaint No. 433/2024

The copy of the inspection reports are not correct as they have submitted the wrong address of the complainant and not visited the site properly and issue fake inspection report by the employee of BSES. Complainant had applied for a new DX connection at the premises by the mentioned by the respondent company as A-397, New Seemapuri, Delhi -110095, is not correct, hence the correct address is as A-398, S/F New Seema Puri, Delhi- 110095. The contents of this clause are completely denied that the applied site has an existing connection but there is no connection so complainant applied for new connection at above said address for new connection. The complainant has ownership papers of property and complainant filed property documents along with application for electricity connection so the electricity connection cannot be denied.

5. Arguments of both the parties were heard.
6. From the narration of facts and material placed before us we find that the complainant has applied new connection on the second floor and already two connections are installed at the subject premises. The Inspection Report of OP shows building structure as Ground + first + second floor. Thus the objection of OP that two connections are already supplying electricity does not sustain here as there are three dwelling units. We also observe that the two meters installed at the applied premises do not mention any floor. The site visit report filed by OP also shows that premises no. 397 and 398 are joint address. Therefore, we do not find any hindrance in granting new connection to the complainant.



3 of 4

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Complaint No. 433/2024

7. 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.
8. In the facts and circumstances aforesaid, we are of the view that the respondent may be directed to provide the connection.

ORDER

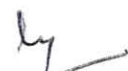
The complaint is allowed. Respondent is directed to release the new connection applied by complainants vide application no. 8007041775 at premises no. A-398, SF, near Govt. School, New Seemapuri, Delhi-110095 after completion of all the commercial formalities as per DERC Regulations 2017.


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)