



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
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SECY/CHN 0150RNS

CA No. Applied for
Complaint No. 436/2024

In the matter of:

Vinay Kumar Bansal

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.K Khan, Member (Tech.)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Akash Ruhela, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 01st May, 2025

Date of Order: 06th May, 2025

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

1. The brief facts of the case giving rise to this grievance are that applied for New electricity connection vide request no. 8007083170 at premises no. 458-466, Pvt Plot No-3, Known as 458-466/3, Ground Floor, Gali No-8, Shambhu Nath Compound, Friends Colony, industrial Area, Shahdara, Delhi -110095.

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Secretary
CGRF (BYPL)

Complaint No. 436/2024

The application of the complainant was rejected by the opposite party (OP) on the pretext of address in MCD objection, NOC or Completion and Occupancy Certificate required but complainant stated that the said property is not booked under MCD list.

2. The respondent in reply briefly stated that the complaint has been filed by the complainant seeking for new NX connection at the premise no. 458-466, Pvt Plot No-3, Known as 458-466/3, Ground Floor, Gali No-8, Shambhu Nath Compound, Friends Colony, Industrial Area, Shahdara, Delhi -110095 vide request no. 8007083170. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of **Firstly;** applied address is booked on multiple occasions by MCD objection qua to unauthorized construction. **Secondly;** applied premises has also been issued by DPCC directing to close the unit with immediate effect and the direction were also issued to concerned SDM. Hence, Violation of the provisions of Electricity Act & Regulation framed in respect thereto i.e. Delhi Electricity Regulatory Commission.
3. Counsel for the complainant filed rejoinder refuted that contentions of the respondent as averred in their reply and summated that a new connection vide order no. 8007083170 of premises bearing house no. 458-466, Pvt Plot No-3, Known as 458-466/3, Ground Floor, Gali No-8, Shambhu Nath Compound, Friends Colony, industrial Area, Shahdara, Delhi -110095. Complainant stated that the respondent company has released a temporary electricity connection upon the property bearing No. 458-466, Pvt. Plot No-3, Known as 458-466/3, Ground Floor, Gali No-8, Shambhu Nath Compound, Friends Colony, industrial Area, Shahdara, Delhi at the time of its construction vide C.A No. 351358779 on 02.02.2023.

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4. During the course of argument, OP filed K. No. file of CA No. 154541835 in the name of Mr. Devender Kumar Jain.
5. Heard both the parties and perused the record.
6. 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 & DPCC required. Regarding objection of OP, OP itself is not able to confirm whether it is property of the complainant which booked or not. OP also placed on record an e-mail of their dated 21.08.2024 written to MCD for confirming that they (OP) are unable to confirm which premise is booked. OP has already released connections for non-domestic purposes on the basis that there are multiple buildings exist and multiple buildings are booked by MCD, they are unable to identify the booked premises. Regarding Second objection of OP, Complainant has already filed DPCC.
7. In view of the above, we are of considered opinion that since OP has already released multiple connections in the premises of the complainant in the year 2024, thus the present application of the complainant for new connection cannot be denied. 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.
8. 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.

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Complaint No. 436/2024

9. 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. 8007083170 at premises no. 458-466, Pvt. Plot No-3, Known as 458-466/3, Ground Floor, Gali No-8, Shambhu Nath Compound, Friends Colony, industrial Area, 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 may 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

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Secretary
CGRF (BYPL)

(P.K. AGRAWAL)

MEMBER (LEGAL)

(S.R. KHAN)

MEMBER (TECH.)

(P.K. SINGH)
CHAIRMAN

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