



C A No. Applied For
Complaint No. 08/2024

In the matter of:

Bimlesh KumariComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 02nd April, 2024
Date of Order: 03rd April, 2024

Order Pronounced By:- Mr. H.S. Sohal, Member

1. This complaint has been filed by Smt. Bimlesh Kumari against BYPL-Laxmi Nagar. The brief facts of the case giving rise to this grievance are that complainant Smt. Bimlesh Kumari applied for new electricity connections vide request no. 8006689805 and 8006689794 at premises no. 321, SF, Left side, Guru Ram Das Nagar, Laxmi Nagar, Near Sanjay Park, Delhi-110092, which OP rejected on the pretext of MCD objection.

Attested True Copy

Secretary
CGRF (BYPL)

1 of 1

Complaint No. 08/2024

The complainant further added that the booked floors are ground floor and first floor, whereas he has applied for 2nd floor in the same building. He also stated that OP has already released two new electricity connections on third floor of the same property vide CA No. 154208954 and 154216749.

2. The respondent in reply briefly stated that the complainant is seeking two new electricity connections for the right hand side and left hand side portions of the second floor of property bearing no. 321, Guru Ram Das Nagar, Laxmi Nagar, Near Sanjay Park, Delhi-110092. Both the applications of the complainant were rejected on the ground that the subject premise is booked by MCD and removal of meter having no. 55122967 As per MCD objection list subject premises were found to be booked for unauthorized construction in the shape of Ground floor, first floor and raising columns. As such the applications of the complainant were rejected for want of Building Completion Certificate (BCC) or NOC in lieu thereof.
3. Counsel of the complainant in rejoinder refuted the contentions of OP as averred in their reply and stated that the complainant applied for new electricity connections at second floor and he has no concern with the ground floor and first floor. Rejoinder further added that OP recently on 12.08.2023 released two new electricity connections on the third floor of the same building.
4. Heard both the parties and perused the record at length.
5. The application of new connection was rejected on the basis of two objections:-
 - (i) Premises booked by MCD.
 - (ii) Removal of temporary meter no. 55122967.

Attested True Copy

Secretary
CGRF (BYPL)





 2 of 4

Complaint No. 08/2024

6. We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the premises no. 321, Guru Ram Dass Nagar, Laxmi Nagar, Delhi-110092 were booked by MCD on 01.10.2019 vide order no. EE(B)-II/Sh(S)/2019/2916, thereafter OP released two new electricity connections on 12.08.2023 on the third floor of the same premises. OP admitted to this fact that they have released two new electricity connections on the third floor of the applied premises in the year 2023 after MCD booking in 2019, as per their prevailing Standard Operating Procedure (SOP) at that time. Now after meeting with MCD their Standard Operating Procedure (SOP) has changed and they have stopped releasing the new electricity connections in MCD booking premises. Therefore, they are unable to give new electricity connections to the complainant as applied for.
7. As per above discussions, OP was asked to provide the new SOP which they failed to do even after considerable time. In the absence of the required SOP, we cannot deny new electricity connections to the complainant.
8. In the facts and circumstances aforesaid, we are of the view that the respondent may be directed to provide the connections 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 his property then OP should be at liberty to disconnect the supply of the complaint is allowed.
9. 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.

Attested True Copy

Secretary
CGRF (BYPL)

 3 of 4

Complaint No. 08/2024

ORDER


Complainant is allowed. OP is directed to release the new electricity connections applied for in premises no. 321, Guru Ram Dass Nagar, Laxmi Nagar, Delhi-110092 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 connection.

OP is also directed to file compliance report to forum within 21 days from the date of this order.

Case is disposed off as above.

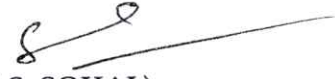
No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.


(S.R. KHYAN)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(H.S. SOHAL)
MEMBER