



C A No. Applied For  
Complaint No 94/2021

**In the matter of:**

Meenakshi .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

**Appearance:**

1. Ms. Meenakshi, Complainant
2. Mr. Imran Siddiqui & Ms. Shweta Chaudhary, On behalf of BYPL

**ORDER**

Date of Hearing: 29<sup>th</sup> September, 2021

Date of Order: 30<sup>th</sup> September, 2021

**Order Pronounced by:- Mrs. Vinay Singh, Member (Legal)**

Briefly stated facts of the case are that the complainant applied for new connection, but the respondent company rejected her application for new connection.

The complainant submitted that she applied for new electricity connection vide application no. 8004901324 on dated 08.04.2021, but respondent company rejected her application for new connection on pretext of NOC from DC Revenue/advisory committee. Therefore, she requested the Forum to direct the respondent for immediate release of the connection.

*Harshali*

*Imran*

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Notice was issued to both the parties to appear before the Forum on 17.09.2021.

The respondent company submitted their reply stating therein that the present complaint is for grant of new electricity connection at property bearing no. A-8/696/A, Kh.No. 104/16, FF, Gali No. 8, East Gokalpur, which is claimed to exist in Delhi. It is also submitted that complainant applied for new connection vide application no. 8004901324 and after site inspection a deficiency letter dated 23.04.2021 was issued whereby applicant was asked to supply NOC from DC Revenue/advisory committee as the premises where electricity connection is sought falls in State of Uttar Pradesh.

Respondent also submitted that somewhere in 2007 due to documents supplied the part of Gokalpur which actually falls in U.P. was supplied electricity by BSES which is beyond the terms of License granted to BSES YPL for distribution of electricity to certain parts of Delhi.

It is further added that a writ petition bearing W.P. (C) no. 6211/2012 titled as Human Fundamental Rights Association (Regd.) and Ors. Versus Union of india & Ors. is pending for adjudication before Hon'ble High Court of Delhi.

A joint demarcation was undertaken and a report was jointly prepared by the concerned Revenue Authorities of Govt. of NCT of Delhi and State of Uttar Pradesh in July 2012. Hon'ble Lt. Governor of NCT of Delhi issued direction that those premises which were partly situated within the territory of NCT of Delhi were continued to be granted electricity connection by BYPL. All premises which fell entirely within the territory of State of UP were to be supplied electricity by the Electricity Distribution Companies of UP.

The matter was listed for hearing on 17.09.2021, when respondent filed their reply stating therein that this property belongs to UP. DC (Revenue) clarification is required for the border issue. Respondent is directed to find out the list available with them whether it is in UP or not. Respondent will assist complainant and send a letter to SDM regarding this premises, whether this house exists in UP or Delhi.

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Complaint No. 91/2021

Respondent vide their mail dated 28.09.2021 submitted that in the light of interim order of the Forum dated 17.09.2021, a letter to SDM was issued and a copy of same has been given to the complainant to pursue his matter with the concerned authority. Premise of the complainant is completely in U.P. and new connection can only be given after the confirmation of DC revenue that the property exists in Delhi.

The matter was finally heard on 29.09.2021, when arguments of both the parties were heard matter was reserved for orders.

The main issue in the present case is whether the connection can be granted or not.

We have heard the arguments of both the parties. From the narration of facts and material placed before us we are of the opinion that the issue of demarcation of the area is pending before the Hon'ble High Court.

As above, the Forum is of the view that whenever the complainant will produce the NOC from DC Revenue/advisory committee, they should release the connection to the complainant after fulfillment of all the commercial formalities as per DERC Guidelines 2017.

No order as to the cost.

The order is issued under the seal of CGRF.

  
(HARSHALI KAUR)  
MEMBER (CRM)

  
(VINAY SINGH)  
MEMBER (LAW)

  
(ARUN P SINGH)  
CHAIRMAN