

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/01/S/08/855

C A No. Applied For
Complaint No. 215/2022

In the matter of:

SubhanaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)

Appearance:




1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 19th January, 2023
Date of Order: 23rd January, 2023

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

1. This complaint has been filed by Ms. Subhana, against BYPL-DRG.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Subhana resides in premises no CN-535, GF, Mirdard Road, Basti Takiya Kale Khan, Darya Ganj, Delhi-110002 since 2012. She

Seek:    1 of 4

Complaint No. 215/2022

applied for new electricity connection vide application no. 8005833462 but respondent rejected her application for new connection on the pretext of removal of existing permanent meter required vide CA No., meter no. 11864789 whereas the said meter is installed at some other premises.

3. The respondent in reply briefly stated that the complainant applied for new electricity connection vide application no. 8005295551 at H.No. 187, GF, Mir Dard Road, Basti Takya Kale Khan, New Delhi-110002 on 26.11.2021 and submitted documents like, undertaking, dues undertaking, copy of MLA letter, copy of Aadhar card, copy of voter ID card.

On site verification it was found that the site where complainant applied for new connection is already electrified by one live meter no. 11864789, CA No. 100442348 in name of Mohd Saleem Khan, father of the complainant.

Thereafter, complainant again applied for new connection vide request no. 8005833462 on dated 28.07.2022 but this time for different address i.e. house no. 535, GF, Mir dard road, Basti Takiya Kale Khan, Darya Ganj, Delhi.

Again site was visited and found that same premises i.e. H.No. 187, which is already electrified as such second application was also rejected.

4. Heard both the parties and perused the record.

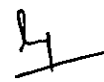
Sachin P

by

Complaint No. 215/2022

5. The Authorized Representative of the complainant has argued that premises no. 187 and 535 are different. He also submitted the documents required for new connection of address CN-535, GF, Mirdard Road, Basti Takiya Kale Khan, Daryaganj, Delhi-110002.
6. Legal Representative of the BYPL has argued on basis of evidence available on record. They submitted that connection installed in house no. 187, Mirdard Road, Basti Takiya Kale Khan, Daryaganj, Delhi vide CA No. 100442348 is in name of Mohd Saleem, who is father of the complainant. As per their site visit both the premises are same and the meter installed against above stated CA no. is fixed on the wall of house no. 535.
7. From perusal of the record placed before us and pleadings of both the parties we observe that the OP submitted site inspection report dated 11.01.2023, which clearly states that meter no. 11864789 installed at applied address and meter outgoing to another address. Applied address dwelling unit found completely separate.
8. Since, water and electricity are integral part of right to life. Hon'ble Supreme Court in the case of Dilip (Dead) LR vs Satish, 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, the site inspection report submitted by OP states that since the meter is installed at the wall of complainant's premise but it is feeding another premise. Therefore, it cannot be ruled out that both the premises are different.

Deed: 



Complaint No. 215/2022

9. Therefore, we are of considered opinion that respondent should release the new connection to the complainant.


ORDER


Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities.


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

The case is disposed off as above.

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


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN