

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-11003  
Phone: 32978140 Fax: 2238488  
E-mail: cgrfbypl@hotmail.com  
SECRETARY

C A No. Applied For  
Complaint No. 539/2024

In the matter of:

Komal Gupta .....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 (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

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

ORDER

Date of Hearing: 13<sup>th</sup> May, 2025

Date of Order: 15<sup>th</sup> May, 2025

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

1. The brief facts of the case giving rise to this grievance are that applied for new electricity connection vide request no. 8007179648 at premises no. 10, Kh. No. 430, Veer saverkar Block, Shakarpur, Delhi-110092 which respondent rejected on grounds of duplicate order (applied twice) 8007152851, building height more than 15 meters, BCC/fire NOC certificate required and wrong category applied.

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[Signatures]

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2. The respondent in reply briefly stated that the complaint has been filed by the complainant seeking new NX connection for the premises bearing no. 10-B, TF, Kh. No. 430, Veer Savarkar Block, Shakarpur, Delhi-110092 vide application no. 8007179648. The application of the complainant for new connection was rejected on grounds of building height more than 15 meters building is having ground + first + second + third floor and connection is sought for coaching centre. Fire NOC is a pre-requisite condition in terms of Regulation 27 of DFS rules. Also the complainant has applied duplicate request and in wrong category.

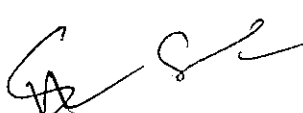

Hence, violation of the provisions of Electricity Act and Regulations framed in respect thereto i.e. Delhi Electricity Regulatory Commission (Supply Code and Performance Standards) Regulations 2017.

3. Complainant filed rejoinder refuting the contentions of the respondent as averred in their reply submitted that the complainant is not doing business of Coaching centre at the applied premises. The complainant will do the work of property dealing/real estate and has also filed a trade license to this effect. The complainant also stated that the building structure is Ground + three floors over it and there is no need for fire certificate.

4. OP filed its additional submissions reiterating therein that the building structure is ground plus three floors over it, with a total height exceeding 15 meters; clearly bringing it within the ambit of the said Rule 27 (4) and OP cannot release electricity connection to the complainant without submission of fire safety clearance certificate.

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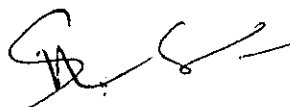
5. Both the parties were directed to conduct joint site visit. Joint site visit report dated 17.04.2025 stated that
  - a) Applied building is ground plus three floors structure building.
  - b) Applied building height is 42.5 feet i.e. 12.90 meters.
  - c) Applied building third floor applied site, chair and table. Existing building floor board removed.
6. Arguments of both the parties were heard.
7. From the narration of facts and material placed before us we find that the complainant applied for new connection which OP rejected on grounds of building height more than 15 meters and fire NOC required. The site visit report filed by OP on record stated that building height is 12.90 meters. OP has also objected that the connection applied for by the complainant is for coaching centre and as per Rule 27 (4) of DFS Rules; the height of the building should not be more than 9 meters. Whereas the complainant stated that he has applied for new connection under NX category for purpose of property dealers/real estate agents and in this regard the complainant has also filed Trade License from MCD.
8. The relevant Rule 27 of DFS Rule is narrated here:-

27. Classes of occupancies likely to cause a risk of fire. occupancies for the purposes of sub-section (1) of section 25 of the Act shall be construed to likely cause a risk of fire, namely:-

- (1) Pandal having seating capacity more than 50 persons or covered area more that 50 square meters.
- (2) Residential buildings (other than hotels and guest houses) having height more than 15 meters or having ground plus four upper stories including mezzanine floor.
- (3) Hotels and guest houses having height more than 12 meters having ground plus three upper stories including mezzanine floor.
- (4) Educational buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.

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- (5) Institutional buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.
  - (6) All Assembly buildings.
  - (7) Business buildings having height more than 15 meters or having ground plus four upper stories including mezzanine floor.
  - (8) Mercantile buildings having height more than 9 meters or having ground plus two upper stories including mezzanine floor.
  - (9) Industrial buildings having covered area on all floors more than 250 square meters.
  - (10) Storage buildings having covered area on all floors more than 250 square meters.
  - (11) All Hazardous buildings having covered area on all floors more than 100 square meters. (12) Underground Structures.
9. The aforesaid Rule 27(7) of Delhi Fire Safety Rules 2010, states that business buildings having height more than 15 meters or having ground plus upper stories including mezzanine floor.
10. In the present case, the premises where the complainant has sought new electricity connection is a business building and as per above stated Rule the permissible height of the building should be 15 meters and the height of the complainant's building is 12.90 meters which is well within the prescribed limit. The trade license also filed by the complainant also proves that the complainant will do the work of property dealers/real estate agents.
11. Therefore, we don't find any hurdle in releasing of new NX connection as applied for by the complainant. The complainant in his support has filed Trade License which is now expired. Therefore, at the time of submissions of documents for release of new electricity connection, the complainant should file a fresh Trade License.

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ORDER

8/ The complaint is allowed. Respondent is directed to release the new connections as applied for by complainant vide applications no. 80071796-48 at premises no. 10-B, Kh. No. 430, Veer Saverkar Block, Shakarpur, Delhi-110092, subject to <sup>submitting</sup> ~~submitted~~ fresh trade license and completion of all other commercial formalities if any, required for giving connection 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.R. SINGH)  
CHAIRMAN

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