



C A No. Applied for
Complaint No. 255/2025

In the matter of:

Nirbhay Mehta

.....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. Shiv Murat, Representative of the complainant
2. Mr. Rahul Saini, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 16th September, 2025

Date of Order: 25th September, 2025

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief facts of the grievance are that the complainant applied for new electricity connection vide request no. 8007396539 under NX category at ground floor of premises no. 16-A/8, West Extension Area, Karol Bagh, Delhi-110005, the application of the complainant for new connection was rejected on the grounds of "ESS space required (544 sq. yards) applied for commercial connection required fire safety clearance/bcc and address in MCD objection list.

Attested True Copy

Secretary
CGRF (BYPL)

1 of 6

Complaint No. 255/2025

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection under NX category at ground floor of premises bearing no. 6-A/8, ground floor, west extension area, Karol Bagh, Delhi-110005 vide application no. 8007396539. Reply further stated that the application of the complainant for new connection was rejected on following grounds:
- A) ESS space required as total cumulative built-up area plot is more than 2000 sq. yards.
 - B) No wiring exist NX building.
 - C) Applied address found in MCD objection list (B/UC/KBZ/15/358DT).
 - D) Building comprises of basement, ground floor and five floors over it, including mezzanine floor commercial building with a height of more than 15 meters, building completion certificate/fire clearance certificate is required.
3. The complainant filed rejoinder stating therein that he is partial owner of ground floor only and ground floor and second floor not booked by MCD. The building was constructed before 2007 and each floor has separate owner. Total plot area is 500 sq. yards only. The Vajirao Academy previously occupied the premises but shifted seven years ago, leaving it completely vacant. Currently, only the 3rd floor resident has rented out a portion of their space.
4. Arguments of both the parties were heard.
5. From the narration of facts and material placed before us we find that complainant applied for new electricity connections at ground floor under commercial category. The application of the complainant was rejected by OP on the grounds that the building height of the complainant is more than 15 meters; MCD booked premises, ESS space required as total cumulative built-up area plot is more than 544 sq. yards and no wiring exist NX building.

Attested True Copy

Secretary
CGRF (BYPL)

SA 8 4 12
2 of 6

Complaint No. 255/2025

6. In this regard, we find that DERC (Supply Code and Performance Standards) Regulations 2017, Rule 5(1) Safety of electrical installations says that “:- (1) The Licensee and the consumer shall, in every respect, comply with the provisions of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time.

Further Rule 7(2) of the above Regulations says “All multi-storeyed buildings, having a height of more than 15 meters from ground level, shall also comply with Clause 36 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 and amendments thereof.

Rule 11 provides for the provisions of the new electricity connection Rule (11)(2)(iv) says that

(iv) The Licensee shall not sanction the load, if upon inspection, the Licensee finds that;

a. the information as furnished in the application is at variance to the actual position, or

b. the installation is defective or

c. the energisation would be in violation of any provision of the Act, Electricity Rules, Regulations or any other requirement, if so specified or prescribed by the Commission or Authority under any of their Regulations or Orders.

Rule 38 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2023, Provisions for supply and use of electricity in multi-storeyed building more than fifteen metre in height. -

(1) The connected load and voltage of supply above which inspection is to be carried out by an Electrical Inspector for a multi-storeyed building of more than fifteen metre height shall be notified by the Appropriate Government.

Attested True Copy

Secretary
CGRF (BYPL)

SA S

3 of 6

Complaint No. 255/2025

- (2) Before making an application for commencement of supply or recommencement of supply after an installation has been disconnected for a period of six months or more, the owner or occupier of a multi-storeyed building shall give not less than thirty days notice in writing to the Electrical Inspector specifying therein the particulars of installation and the supply of electricity shall not be commenced or recommenced within this period, without the approval in writing of the Electrical Inspector.
- (3) The following safety measures shall be provided in the multi-storeyed buildings of more than fifteen metre height and other premises such as airports, hospitals, hotels, places of entertainment, places of worship, cultural centers, stadium, academic buildings, test labs, industrial installations, installation with explosive or flammable material, railway or metro stations and other public buildings, namely: -
- (i) the supplier or owner of the installation shall provide at the point of commencement of supply a suitable isolating device with cut-out or breaker to operate on all phases except neutral in the three-phase, four-wire circuit and fixed in a conspicuous position at not more than 1.70 metre above the ground so as to completely isolate the supply to the building in case of emergency;
 - (ii) the owner or occupier of a multi-storeyed building shall ensure that electrical installations and works inside the building are carried out and maintained in such a manner as to prevent danger due to shock and fire hazards, and the installation is carried out as per the relevant standards;
 - (iii) no other service pipes and cables shall be taken through the ducts provided for laying of power cables and all ducts provided for power cables and other services shall be provided with fire barrier at each floor crossing;

Attested True Copy

Secretary
CGRF (BYPL)

CA 8 ly 4 of 6

Complaint No. 255/2025

(iv) the Fire Retardant Low Smoke and Low Halogen power cables shall be used in building of more than fifteen metre height as per relevant standards: Provided that Halogen Free Flame Retardant power cables as per the relevant standards shall be used in airports, hospitals and hotels irrespective of height;

(v) distribution of electricity to the floors shall be done using bus bar trunking system;

(vi) lightning protection of the building shall be as per the relevant standards;

(vii) verification of electrical wiring of the building shall be carried out as per the relevant standards; and

(viii) electricity meter shall not be installed in the passage of staircase.

New connection application form issued by DERC, point no. 5 of the undertaking states, "That the building has been constructed as per prevalent building Bye-laws and the total height of the building

(i) Does not exceed 15 (fifteen) meters on the date of seeking service connection: or

(ii) Is more than 15 (fifteen) meters and fire clearance certificate is available with the applicant.

Now the legal position is clear, if the height of the building is more than 15 meters without stilt parking and with stilt parking it is above 17.5 meters, the applicant is required to file fire clearance certificate from the fire department, without which new connection cannot be granted. Therefore, the building structure where the complainant has applied for new electricity connection is having basement + ground floor + five floors over it and it's a commercial building, thus the complainant has to file Fire Clearance Certificate for release of new electricity connection.

Attested True Copy

Secretary
CGRE (BYPL)

Complaint No. 255/2025

Regarding other objection of OP, MCD booking, the said MCD booking was done in the year 2019 which clearly says that "in continuation of previous booking vide no. B/UC/KBZ/2015/358 dated 02.12.2015.

Further U/C in the shape of partly fifth floor shown in fig. existing building is old and occupied" and the connections already installed in the subject premises were released by OP before MCD booking. No other connection has been granted by OP. The print out of MCD booking shows the premises are booked twice. Firstly on 02.2.205 and secondly on 14.02.2019 and no connection in the building is given after MCD booking by MCD.

Regarding requirement of ESS space and wiring in the premises by the complainant, this contention of OP does not support and relevant proof, therefore, this contention of OP does not substantiate.

7. In view of the above, we are of the considered opinion that the complainant has to fulfill the requirements of OP and thereafter OP can release the new connection as applied for by the complainant.

ORDER

Complaint is rejected. OP has rightly rejected the application of the complainant for new connection.

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.K.SINGH)
CHAIRMAN

Attested True Copy
Secretary
CGRF (BYPL)