

CA No. Applied For
Complaint No. 36/2026

In the matter of:

Nisar AhmedComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Shalabh Kumar, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Vinod Kumar, Counsel for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 05th May, 2026

Date of Order: 08th May, 2026

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

1. The brief facts of the grievance are that the complainant has applied for new electricity connection vide request no. 8008093674 at premises no. 3412, Ward No. XIII, Ground Floor, Situated at Gali Sangtrashan, Bara Hindu Rao, Delhi-110006, but application of the complainant for new electricity connection was rejected by OP on grounds of "Fire Safety Clearance Required".

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CGRF (BYPL)


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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new Non-domestic electricity connection at plot bearing no. 3412, Ward No. XIII, Ground Floor, Situated at Gali Sangtrashan, Bara Hindu Rao, Delhi-110006 vide request no. 8008093674.

Reply further submitted that the applied premises was inspected on 26.12.2025 by the respondent and during inspection it was found that the premises is a mixed-use building with non-domestic activity. Also the Building comprises Ground plus mezzanine plus five floors over it and exceeding 15 meters in height, which requires Fire Safety Clearance under Rule 27 of the Delhi Fire Service Rules, 2010 for establishing electricity connection. Rule 27 of the Delhi Fire Service Rules, 2010 mentioned in support of the same. Also a judgment of Hon'ble Delhi High Court in the case of Ms. Azra vs State (GNCTD) & and Ors. Also quoted.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that subject ground floor of the property falls within the height of 15 meters. It is further submitted that separate electricity connections have already been granted in the same building for domestic as well as commercial purposes. That the respondent provided the commercial electricity connection to Mr. Abdul Wahid adjacent to the complainant in the same premises bearing CA No. 155000378 on 08.01.2026. It is also submitted that Hon'ble Delhi High Court Judgment stated by the respondent is not applicable in complainant's case as the complainant is seeking electricity connection pertaining to the ground floor.

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4. Arguments of both the parties are heard.
5. After considering the pleadings of parties, documents placed on record, and submissions advanced by the parties, the Forum observed that the complainant has applied for a new non-domestic electricity connection in respect of premises bearing no. 3412, Ward No. XIII, Ground Floor, Gali Sangtrashan, Bara Hindu Rao, Delhi-110006.

The Forum further observed that the respondent inspected the premises on 26.12.2025 and found that the building consists of Ground Floor plus mezzanine plus five upper floors and exceeds the height limit of 15 meters. In terms of Rule 27 of the Delhi Fire Service Rules, 2010, buildings exceeding 15 meters require Fire Safety Clearance/NOC from the Delhi Fire Service before grant of electricity connection.



The contention of the complainant that the electricity connection is sought only for the ground floor and that the said portion independently falls within permissible height limits cannot be accepted. The requirement of Fire Safety Clearance is attached to the building as a whole and not merely to the specific floor or unit for which electricity connection is sought. Granting electricity connection in absence of mandatory Fire Safety Clearance would amount to violation of statutory provisions.

The Forum also considered the complainant's plea that other electricity connections have already been granted in the same premises/building, including a commercial connection allegedly provided to another occupant. However, the Forum is of the view that any alleged earlier grant of connection contrary to rules, if any, cannot create a vested right in favour of the complainant nor can illegality be perpetuated on the ground of parity.

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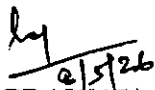
6. The judgment of the Hon'ble Delhi High Court relied upon by the respondent supports the proposition that statutory safety requirements under the Delhi Fire Service Rules are mandatory in nature and must be complied with prior to release of electricity connection in buildings covered under the said Rules.
7. Accordingly, the Forum finds no deficiency in service or illegality on the part of the respondent in insisting upon Fire Safety Clearance before processing the complainant's request for a new electricity connection.
8. In view of the facts and circumstances of the case, and for the reasons recorded hereinabove, the complaint filed by the complainant is hereby dismissed.

ORDER

The respondent is justified in rejecting/keeping pending the application for new electricity connection bearing request no. 8008093674 till submission of valid Fire Safety Clearance/NOC from the competent authority in accordance with Rule 27 of the Delhi Fire Service Rules, 2010.

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.


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(SHALABH KUMAR)
CHAIRMAN

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