

**C A No. Applied for**  
**Complaint No. 11/2025**

**In the matter of:**

Parveen Madan

.....Complainant

**VERSUS**

BSES Yamuna Power Limited

.....Respondent

**Quorum:**

1. Mr. S.R. Khan, Member (Technical)
2. Mr. H.S. Sohal, Member

**Appearance:**

1. Mr. Nishikant Ray, Counsel of the complainant
2. Mr. Akash Swami, Ms. Chhavi Rani on behalf of respondent

**ORDER**

Date of Hearing: 24<sup>th</sup> April, 2025

Date of Order: 28<sup>th</sup> April, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. Property No. 2786, Ground Floor, Pvt. Shop No.-B, Ward No.-6, Chhatta Sufi Peepal Mahadev, Hauz Qazi, Delhi-110006 vide request no. 8007352656. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of MCD, NOC or Completion and Occupancy Certificate required and Fire Safety Clearance required building height more than 15 meters (applied NX

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at GF), but complainant stated that all the flats/shops in the building already have electricity connections but only her shop is without electricity connection. Further she stated that applied connection is at Ground Floor, and the said shop/flat in building has height below 15 meter and building is old constructed. Therefore, she requested the Forum to direct the respondent for release of new connection.

2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking new NX electricity connection at Property No. 2786, Ground Floor, Pvt. Shop No.-B, Ward No.-6, Chhatta Sufi Peepal Mahadev, Hauz Qazi, Delhi-110006 vide request no. 8007352656. The application of the new connection was rejected on account of Firstly; applied address is under MCD booking list D-71/EE(B)-I/C-SPZ/2024 dated 13.05.2024 at serial no. 3. Secondly; applied premises is a mix structure having Ground+ Mezzanine+ Four Floors over it. Thus, having the height of the applied premises being more than 15 meter which mandated submission of valid, legal and verifiable Fire NOC in terms of the Rule 27 of Delhi Fire Service Rule.
3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the applied building is old constructed approximately 20 years ago. After that no new construction has taken place in this building. The MCD objection list filed by the respondent with the reply is wrong and denied. The respondent along with reply filed electricity bills. Respondent has already admitted to installed electricity connections one domestic and three non-domestic connections vide CA

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No. 150868562, 100245531, 151810546 and 152137163 in above said building on 09.09.2013, 21.12.2010, 27.04.2016 and 15.04.2017. Whereas the applicant has not done any new construction in the building in 2024. There is another building similar to the applicant building which is next to the applicant's building.

4. During the course of arguments, OP was directed to file site visit report clearly showing how many buildings of same address exists.
5. OP filed the site inspection report as required by the Forum therein that there are three building of this address which are of this type. First building structure is Ground+ Four Floors, Second building structure is Ground+ Third Floors and third building structure is ground+ mezzanine+ four floors which is also applied building.
6. Heard both the parties and perusal the record.
7. From the narration of facts and material placed before us we find that complainant applied new electricity connection at ground floor of Property No. 2786, Pvt. Shop No.-B, Ward No.-6, Chhatta Sufi Peepal Mahadev, Hauz Qazi, Delhi-110006 which was rejected by OP for requirement of fire safety certificate as height of the building is more than 15 meters and address in MCD objection list.
8. OP has submitted that new electricity connection for NX purpose cannot be issued to a building having ground plus five floors in view of Rule 27 of Delhi Fire Services Rules 2010, which stipulates as follow:  
27. Classes of occupancies likely to cause a risk of fire :- the following classes of 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:-

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- (1) Pandal having seating capacity more than 50 persons or covered area more than 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.
- (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. Undoubtedly the building height is more than 15 meters and as per above stated DFS Rule 27, the building is likely to cause a risk of fire. Therefore, we cannot grant application of the complainant for new connection and for release of new connection the complainant has to submit fire clearance certificate.

Regarding second objection of OP, address in MCD objection list, OP has submitted site inspection report in which there are three buildings of same address having property no. 2786. The MCD booking dated 13.05.2024 shows booked building structure as ground; first, second

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and third floor and the three buildings are having same structure i.e. ground plus three floors over it. Only the building of the complainant consists of mezzanine floor. Therefore, it is difficult to conclude which building is booked by MCD. Only MCD can ascertain the booking building.

ORDER

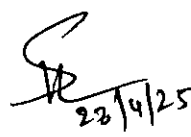
The complaint is rejected. OP. has rightly rejected the application of the complainant for new connection. For release of new electricity connection the complainant has to submit fire clearance certificate from fire department and also BCC or NOC from MCD.

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

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

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