



C A No. Applied For
Complaint No. 154/2026

In the matter of:

Rita & Naresh Malhotra

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. I U H Siddiqi, 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: 06th October, 2026
Date of Order: 07th October, 2026

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

1. The brief facts of the grievance are that the complainants applied for new electricity connections vide request no. 8008309733 and 8008309424 at first floor and second floor of premises bearing no. 1482, Kh. No. 1173/859/1, Naiwala, Karol Bagh, Delhi-110005. The application of the complainants for new electricity connections were rejected by OP on the grounds of "Fire safety clearance or Building Clearance Certificate required."

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CGRF (BYPL)

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2. The respondent in its reply against the complaint of the complainants submitted that the complainants applied for new electricity connections under non-domestic category for a load of 1 KW each vide request no. 8008309424 and 8008309733 at first floor and second floor at premises bearing no. 1482, Khasra No. 1173/859/1, plot no. 859, Gali no. 24, Naiwala, Karol Bagh, Shankar, Delhi-110005. Reply further stated that upon scrutiny of the application and site inspection dated 21.04.2026, it was found that the said building is exceeding 15 meters in height; therefore, as per applicable regulations, Fire safety clearance/NOC from the competent authority is mandatory. The subject building comprises a basement plus ground plus five floors (B+G+5). Building is commercial in nature. Outstanding energy dues were found existing against the subject premises in respect of CA No. 100570380 of Rs. 71408 and CA no. 100532594 of Rs. 1112/-.

Reply also stated that there already exist eight (8) NX connections and one (1) DX connection in the building.

It is also submitted that grant of electricity connection is subject to compliance of statutory conditions, and no direction can be issued to the respondent to act in violation of safety norms and regulatory provisions.

Rule 27 of the Delhi Fire Service Rules, 2010, mandates that buildings exceeding the prescribed height or falling within specified occupancy without obtaining Fire Safety Clearance from the competent authority.

3. The complainant did not file rejoinder.

4. Arguments of both the parties were heard.

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5. We have considered the complaint, the reply filed by the respondent, the documents placed on record and the submissions made by both the parties.

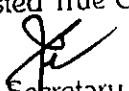
The undisputed position is that the complainants applied for new electricity connections vide request Nos. 8008309733 and 8008309424 for the first floor and second floor respectively of premises bearing No. 1482, Khasra No. 1173/859/1, Naiwala, Karol Bagh, Delhi-110005. The applications were rejected by the respondent on the ground that Fire Safety Clearance/Building Clearance Certificate was required.

The respondent has stated that the applications were for non-domestic connections of 1 KW each and that, upon site inspection conducted on 21.04.2026, the subject building was found to be more than 15 metres in height and comprised Basement + Ground + Five Floors (B+G+5). It has further been stated that the building is commercial in nature and, therefore, Fire Safety Clearance/NOC from the competent authority is mandatory under the applicable statutory provisions.

The respondent has also relied upon Rule 27 of the Delhi Fire Service Rules, 2010, submitting that the requisite fire-safety clearance is a mandatory statutory requirement in respect of buildings falling within the prescribed category.

The complainants have not filed any rejoinder to controvert the aforesaid submissions. In particular, there is nothing on record to show that the complainants have obtained or produced the requisite Fire Safety Clearance/NOC from the competent authority. No material has been placed before this Commission to establish that the respondent's insistence upon such clearance is contrary to any applicable statutory or regulatory provision.

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It is well settled that a distribution licensee cannot be directed to release an electricity connection in disregard of a mandatory requirement imposed under law, particularly where such requirement concerns the safety of a building. The grant of an electricity connection is subject to compliance with the applicable statutory and regulatory conditions.

The fact that certain electricity connections already exist in the subject building, as stated by the respondent, does not by itself confer an unconditional right upon the complainants to obtain additional connections. Existing connections cannot be treated as a waiver of statutory safety requirements applicable to a fresh application.

As regards the outstanding dues mentioned by the respondent against CA Nos. 100570380 and 100532594, the same need not be examined in detail for determination of the present complaint, as the principal ground for rejection of the complainants' applications is the non-compliance with the fire-safety requirement. The existence or otherwise of the said dues, therefore, does not alter the conclusion reached on the principal issue.

In view of the above discussion, this Forum finds that the complainants have failed to establish that the respondent acted arbitrarily or illegally in requiring Fire Safety Clearance/NOC before processing the applications for new electricity connections. The respondent cannot be compelled to grant the connections in the absence of compliance with a mandatory statutory safety requirement.





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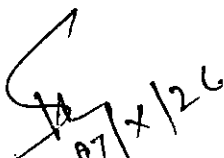
In view of the findings recorded hereinabove, the complaint is **dismissed**.

Accordingly, the complaint is dismissed, and the respondent's rejection of the complainants' applications vide request No. 8008309424 and 8008309733 is upheld on the ground of requirement of fire safety clearance.

The parties are hereby informed that the 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.


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


(P.K. AGRAWAL)
MEMBER (LEGAL)

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