



C A No. Applied For
Complaint No. 105/2025

In the matter of:

Shahrukh Khan

.....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)

Appearance:

1. Ms. Sakshi Sharma, Counsel for the complainant
2. Mr. Rahul Saini, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 06th January, 2026

Date of Order: 12th January, 2026

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. The present complaint has been filed by Mr. Shahrukh Khan against BSES YPL - Yamuna Vihar.
2. The complainant's grievance is that he applied for new electricity connection (stair case connection) vide request no. 8007085778 at premises no. T-4, common stairs, Kh. No. 202/1, Gali No. 21, Gautam Puri, Delhi-110053.

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CGRF (BYPL)







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3. which was rejected by OP on grounds of enforcement dues against C Ano. 401293199 and building structure is ground plus five floors over it, also in the past meters sanctioned were used for common use were later being used at 5th floor.

4. In response to complaint of the complainant, OP in its reply submitted that the complainant is seeking new electricity connection for a load of 1 KVA for domestic purposes vide request no. 8007085778 at premises no. Kh. No. 202/1-T-4, Gali no. 21, Gautam Puri, Delhi.

After receipt of request of the complainant for new connection, the site of the complainant was visited and it was found that the applicant has applied for new electricity connection for common stairs, following deficiencies were found:

- a) Separate electrical wiring for stair case is required for installation of common meter as such technically meter installation is not feasible.
- b) Separate wiring of common stair case test notice issued by licensed electrical contractor not filed.
- c) NOC of all the floors/occupants not filed.
- d) Mis-match between applied address and existing meter bills.
- e) Pending enforcement dues.

5. The complainant filed its rejoinder refuting therein the contentions of the respondent as averred in their reply and reiterated his original complaint.

The complainant also submitted enforcement dues NOC and NOC from Shahrukh Khan who is owner of the entire building and all other connections are in his name.

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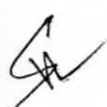


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6. From the narration of the facts and material placed before us we find that the complainant is the sole owner of the entire building and has filed this complaint for new electricity connection for common stairs with malafide intentions to use it at 5th floor.
7. Therefore, we are of considered opinion that the fifth floor of the building is exceeding the 15 meters height, thus for release of the new electricity connection the complainant has to file fire safety clearance certificate from fire department.

DERC had clarified the issue regarding height of the building by its circular letter no. F.17 (85)/Engg./DERC/2016-17/5409/487 dated 31.05.2019. In para 2 of this letter DERC had noted submission of Discom's that "DISCOMs have stated that they insist upon fire clearance certificate from the applicant for release of electricity connection based on the application format prescribed by DERC which inter alia states that in case the total height of the building is more than 15 meters, fire clearance certificate has to be obtained by the applicant and is available."

Again on 15.04.2021, DERC issued Schedule of Charges and the Procedure (Sixth Amendment) Order, 2021, reiterating the following:

(3) In case of residential buildings, for release of electricity connection the Distribution Licensee shall not insist for Fire Clearance Certificate for the residential building having height upto 15 meters without stilt parking and upto 17.5 meters with stilt parking:

  
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4(1) In case the total height of such building is more than 15 meters without stilt parking and more than 17.5 meters with stilt parking, the distribution licensee shall:

(i) release the electricity connection in the dwelling units which are within the height of 15 meters without stilt parking and within the height of 17.5 meters with stilt parking of the building, without insisting for Fire Clearance Certificate:

(ii) in the dwelling units which are above the height of 15 meters without stilt parking and which are above the height of 17.5 meters with stilt parking of the building, the electricity connection shall not be provided unless the fire clearance certificate has been obtained:

Provided that in case such dwelling units above 15 meters without stilt parking and above 17.5 meters with stilt parking of the building indulge in unauthorized connection from the system of licensee or from the live connection of any other consumer, the licensee may initiate an action as per provisions of Section 126, Section 135, Section 138 or any other section as may be applicable of the Electricity Act, 2003 and the electricity connection of such consumer who has provided the supply unauthorisedly, shall be disconnected immediately;

4(2) The Distribution Licensee shall inspect such premises periodically.

8. In view of the aforesaid there should not be any ground of misunderstanding with regard to the height of the building and OP should scrupulously follow the regulations laid down by DERC.

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ORDER


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


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.K. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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