

C A No. Applied for
Complaint No. 42/2025

In the matter of:

Tazeem Faridi

.....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. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 31st July, 2025

Date of Order: 06th August, 2025

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

1. The present complaint has been filed by Mr. Tazeem Faridi against BYPL- Yamuna Vihar.
2. The brief facts of the complaint are that the complainant applied for new electricity connection vide request no. 8007325371 at premises no. Old no. T-12, T-26A, GF, Left Side, Gali no. 15. Gautam Puri, Delhi-110053.

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It is also his case that his application for new connection was rejected by OP on grounds of connection already exists vide CA no. 11883635, meter illegally shifted, mismatch between applied address and existing meter bill address.

3. The respondent in its reply submitted that the complainant is seeking new electricity connection under domestic category at premises bearing no. T-557, Kh. No. 208, Ground floor, Old no. T-127/26-A, left side, Gali no. 15, Gautam Puri, Delhi-110053 vide application no. 8007325371.

Reply further stated that upon inspection of the said premises, it was discovered that there already exist a meter at applied premise bearing meter no. 11883635 (DX) having CA no. 154139566 in the name of registered consumer namely Saba Naaz having the same address as the applied address in the instant case.

Reply further stated that there exists a meter no. 358338407 at applied site; however, this meter is registered for second floor of a different address i.e house no. T-559 and T-557 but said meter has been illegally shifted to the applied address. In view of this conduct of the complainant no new connection can be released as the illegal acts of the complainant.

It is also mentioned in reply that applied site has a height more than 17.5 meter and in view of the applicable regulations, no new connection can be released to the complainant unless requisite permission from the competent authority from the competent authority i.e. NOC from fire department, BCC from MCD and other requisite permission from competent authority.

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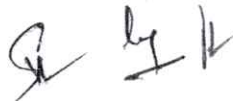
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4. The complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that electricity meter no. 11883635 (DX) having CA no. 154139566 is running in the name of Saba Naaz which is installed at the 5th floor of the above said property. Complainant in rejoinder further stated that he has applied for new electricity connection on the ground floor under domestic category therefore rule of height of building upto 17.5 meters is not applicable upon the complainant.
5. During the course of arguments, OP was directed to file site visit report.
6. The site visit report filed by OP states that the building is having 12 dwelling units and there are 11 electricity meters exist at site. meter no. 1883635 which was released for and is catering electricity at the right hand side fifth floor.
7. Arguments of both the parties were heard.
8. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection on the left hand side ground floor of property bearing no. T-557, Kh. No. 208, old no. T-127/26-A, Gali no. 15, Gautam Puri, Delhi-110053. The application of the complainant for new connection was rejected by OP on grounds of meter already exist at the applied portion which is illegally being used at fifth floor of right hand side premises and building height is more than 17.5 meters therefore the complainant is required to file fire safety clearance certificate.



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9. The relevant DERC Regulations with regard to building height is narrated below:

DERC vide order dated 15.04.2021, issued sixth amendment, states DERC (Sixth Amendment) order, 2021 dated 15.04.2021:2.0

(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 up to 15 meters without stilt parking and up to 17.5 meters with stilt parking.

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:

10. In the present case the complainant has applied for new electricity connection at the ground floor and the above stated regulation clearly states that the portion of the properties whose height is more than 15 meters in the case of without stilt parking and 17.5 meters with stilt parking have to produce fire clearance certificate for grant of new electricity connection.

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The portions below recommended height need not to produce fire safety clearance certificate and in the present case the complainant has applied for new electricity connection on the ground floor under domestic connection, therefore, it is not necessary for the complainant to file fire clearance safety certificate.

Regarding the connection illegally being used at fifth floor at right side, should also be dealt by OP as per relevant provisions of law.

11. In view of the above, we are of considered opinion that the portion of the complainant is without electricity and the connection which is illegally being used at the fifth floor instead of ground floor should be dealt as per law by OP and the connection apply by the complainant cannot be denied. Therefore, OP should release the new electricity connection to the complainant.

ORDER

The complainant is allowed. OP is directed to release the new electricity connection to the complainant as applied for vide request no. 8007325371 at premises no. T-12, T-26A, GF, left side, Gali no. 15, Gautam Puri, Dlehi-110053 after completion of all other commercial formalities as per DERC Regulations 2017.

This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

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.

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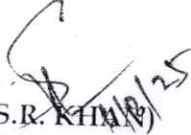
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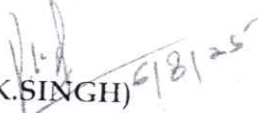
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If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

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.)


(P.K. SINGH)
CHAIRMAN

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