

C G R F



B Y P L

Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act, 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032

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SECY/CHN/015/08NKS

C A No. Applied For
Complaint No. 273/2023

In the matter of:

Usha RaniComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Nishikant Ray, Counsel of the Complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 22nd August, 2023

Date of Order: 28th August, 2023

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

1. This complaint has been filed by Ms. Usha Rani against BYPL-PHG.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Usha Rani applied for new electricity connection vide request no. 8006291711.



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CGRF (BYPL)

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At premises no. L-259 B, GF, Laxman Puri, Navi Karim, Paharganj, Delhi-110055, but respondent rejected the application of the complainant for new connection due to G5 commercial building so TF and CF rejected, but complainant alleged that said reason is wrong as his property is constructed ground floor to 4th floor and building height is 15 meters.

3. OP in its reply briefly stated that the complainant is seeking new electricity connection at premises bearing no. L-259-B, GF, Laxman puri, Nabi Karim, Paharganj, Delhi-110055. The complainant applied for new connection vide order no. 8006291711 under non-domestic (NX) category for 1 KW which was rejected as the building consists of ground plus five floors over it and hence building height is more than 15 meters. As per DERC Regulations, fire safety clearance is required for buildings having height greater than 15 meters.

OP further submitted that building in issue is a commercial. As there are more than five floors as such building height is more than 15 meters. Accordingly, the applicants are liable to provide NOC from fire department or Building Completion Certificate (BCC).

4. Representative of the complainant submitted his rejoinder rebutting therein the contentions of the respondent as averred in their reply and submitted that fire clearance certificate is not required as the building is below 15 meters height. He further submitted that he applied for new electricity connection for ground floor therefore; NOC from fire department or building completion certificate is not required.

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5. LR of the OP submitted that as per DERC Regulations 2017, since the building where new electricity connection is sought is mixed premises and the height of the building is more than 15 meters therefore new electricity connection cannot be granted to the complainant without fire clearance certificate.
6. As far as legal position is confirmed according to The notification of DERC vide no. F.17(85)/Engg./DERC/2016-17/5403/487 dated 31.05.2019 it is clarified that the distribution licensee for release of electricity connection shall not insist for fire clearance certificate for the residential buildings having height upto 15 meters without stilt parking and 17.5 meters with stilt parking. The measurement of the height of the building shall be made in accordance with clause 1.4.16 and 7.19 of Unified Building Bye-Laws for Delhi 2016.

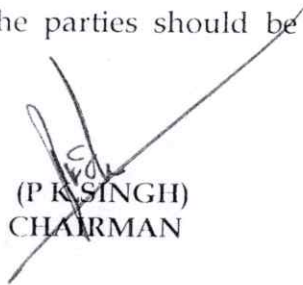
ORDER

Complaint is rejected. We are of considered opinion that building is mix type where shops are on the ground till second floor and residential on other floors and for release of new connection the Fire clearance is required.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.


Proceedings closed.


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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