

# CONSUMER GRIEVANCE REDRESSAL FORUM

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)-For BRPL area

Sub - Station Building, Sector - V, Pushp Vihar,

(Near Saket Court Complex) NEW DELHI - 110017

Phones: 8468952631, 8468935702 TELEFAX: 29564400

Email: [cgrfbrpl@gmail.com](mailto:cgrfbrpl@gmail.com)

No: CG -55/2019/F1/.../76

Dated : 23/10/19

Shri Shyam Lal & Others  
House No. 116/11, (Old No. A-52),  
Amrit Puri, Garhi,  
**NEW DELHI - 110065**

Subject: - Redressal of Grievance by the Forum

Dear Sir,

1. Any complainant, aggrieved by orders of the Forum may himself or through his authorized representative make a representation in writing to the Ombudsman.
2. The representation shall state clearly:
  - (i) The name/s and address of the consumer/s, service connection number, category, the name of the local licensees' office, against which the representation is made, the facts giving rise to the representation, the grounds thereof, the relief sought from the Ombudsman.
  - (ii) The name of the Forum, date of order or decision of the Forum shall, as the case may be mentioned in or enclosed with the representation.
3. No representation to the Ombudsman shall lie unless:
  - (i) The consumer had before making a representation to the Ombudsman approached the Forum constituted under Section 42 (5) of the Electricity Act, 2003 for redressal of his grievance;
  - (ii) The representation is made within one month from the date receipt of the order of the Forum:

Provided that the Ombudsman may entertain a representation beyond one month on sufficient cause being shown by the person filling the representation that he had sufficient reasons for not filling the representation within the aforesaid period of one month.

- (iii) The person filling the representation deposits an amount equal to one third of the amount assessed by the Forum in cash or by way of bank draft with the licensee and documentary evidence of such deposit is enclosed with the representation.

A handwritten signature in black ink, appearing to be a stylized 'M' or similar character, followed by a horizontal line.

SECRETARY

Encl: Certified copy of order (04 pages).

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No: CG -55/2019

In the matter of:

Shri Shyam Lal & Others  
House No. 116/11, (Old No. A-52),  
Amrit Puri, Garhi,  
**NEW DELHI - 110065**

....Complainant

Versus

BSES Rajdhani Power Ltd.  
BSES Bhawan, Nehru Place,  
**NEW DELHI - 110019.**

... Respondent

Coram:

- |    |                    |   |              |
|----|--------------------|---|--------------|
| 1. | Mr. Atul Nigam     | - | Chairman     |
| 2. | Mrs. Nirja Ahuja   | - | Member (L)   |
| 3. | Mrs. Monika Taneja | - | Member (CRM) |

Appearance:

Complainant : Shri Manoj Banka, Authorize Representative of the complainant

Respondent :

1. Mrs. Anchana Arora, Dy. General Manager (B), Division - Nehru Place
2. Shri Amresh Kumar, Manager , Division - Nehru Place

(Date of Hearing: 30.09.2019)

(Date of Order: 09.10.2019)

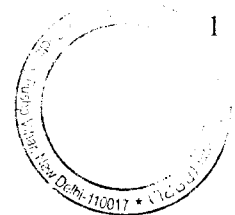
## ORDER

In brief case of the complainant is that he and his family members are the owner of the property bearing old No. A-52, New 116/11, Amrit Puri, Garhi, New Delhi - 110065. That the said building is very old construction and has Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor for domestic purpose and all floors are occupied by all family members and are using the supply through CA no. 101816191 in the name of Shri Shyam Lal and paying too much consumption

*Manoj Banka*

*Nirja Ahuja*

*Monika Taneja*



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charges to the respondent due to single meter. Complainant and his family members had applied for new electricity connections vide application no. 8003822422, 8003822427, 8003822429 and 8003822439 at Ground Floor, First Floor, Second Floor and Fourth Floor to the respondent. Respondent had rejected the new electricity connection application of the complainant due to reason, Building Height is more than 15 metres and Fire Clearance required but the actual height of the building from Ground level to Top Floor and Road Level to Top Floor is not mentioned in the report. Complainant further stated that he had submitted the Architect's Certificate to the respondent but respondent is not ready to release new electricity connections and he again requested for the release of new electricity connections. Since his request was not redressed by the respondent to the satisfaction of the complainant, present complaint was registered by the Forum.

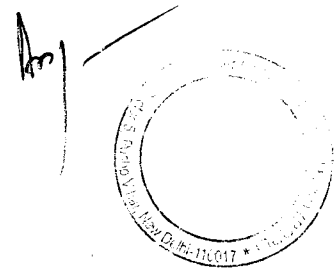
On notice respondent appeared and filed its reply and documents before us.

Respondent submitted that site was inspected by them and building height was found to be more than 15 metres and thus applications of complainant were rejected and they were asked to submit fire clearance certificate. Respondent stated that matter was relooked into and technical feasibility inspection was conducted in presence with complainant (Shri Shyamlal) on 23.07.2019 for measurement of building height. As per inspection report, which contains signature of complainant and BRPL team members, it has been observed that from road level the height of the said building is 15.95 metre. Respondent further stated that according to DERC regulation Fire Clearance Certificate is required to release new connection for residential buildings having height more than 15 metres without stilt parking and 17.5 metres with stilt parking. Hence Fire Clearance Certificate is required to release all the new connections.

We have heard the parties at length and also gone through the documents filed before us. We have perused the various sections of Electricity Act, and DERC (Supply Code & Performance Standards) Regulations, 2017 etc. We would like to quote Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2010, Regulation 36, Sub Regulation 2 and 4 and DERC (Supply code & Performance Standards) Regulations, 2017, Sub Clause 2 of Clause 7 as they are relevant for deciding the present issue before us.

*M. K. I.*

*M. K. I.*



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DERC (Supply code & Performance Standards) Regulations, 2017, Sub Clause 2 of Clause 7, which is quoted below:-

“All multi-storeyed buildings, having a height of more than 15 metres from ground level, shall also comply with Clause 36 of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations, 2010 and amendments thereof.”

Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2010, Regulation 36, Sub Regulation 2 and 4:-

“(2) Before making an application for commencement of supply or recommencement of supply after an installation has been disconnected for a period of six months or more, the owner or occupier of a multi-storeyed building shall give not less than thirty days notice in writing to the Electrical Inspector specify therein the particulars of installation and the supply of electricity shall not be commenced or recommenced within this period, without the approval in writing of the Electrical Inspector.

(4) The owner or occupier of a multi-storeyed building shall ensure that electrical installations and works inside the building are carried out and maintained in such a manner as to prevent danger due to shock and fire hazards, and the installation is carried out in accordance with the relevant codes of practice.”

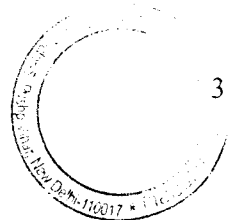
Further, we have perused DERC clarification received on the issues relating to grant of new electricity connection to a building having total height upto 17.5 metres vide letter no. F.17(85)/Engg./DERC/2016-17/5403/487 dated 31.05.2019. Relevant para is quoted below:-

“7. Based on the above, it is clarified that the distribution licensee for release of electricity connection shall not insist for fire

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clearance certificate for the residential buildings having height upto 15 metres without stilt parking and 17.5 metres 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.”

After going through these provisions and also the clarification we are of the considered opinion that for the purpose of seeking connection in high rise buildings for the safety reason of the occupiers these provisions are made which are to be complied by the applicant seeking new connection in the high rise building. The requirement of Fire Clearance and Safety measures are for the whole building till the top.

Accordingly, in our opinion new connection could be released to the complainant after he fulfills the requirements of Regulation 36 (2), (4), Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2010 and submits necessary certificate alongwith any other documents which the respondent requires for release of such connections.

At present, complainant is unable to fulfill the condition as prescribed under law. The Forum directs complainant to complete the commercial formalities and obtain necessary Fire Clearance Certificate before connections can be released.

Accordingly, case is disposed off.

Sd/-  
(Mrs. Monika Taneja)  
Member (CRM)

Sd/-  
(Mrs. Nirja Ahuja)  
Member (Legal)

Sd/-  
(Atul Nigam)  
Chairman

