

# 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 -95/2019/F1/...02-

Dated : ...06/01/2020

Shri Surender Kumar  
House No. 127,  
Gali No. 14,  
Amritpuri, Garhi,  
**NEW DELHI - 110065.**

Subject: - Redressal of Grievance by the Forum

Dear Sir,

1. Any complainant, aggrieved by orders of the Forum may himself/herself or through his authorized representative make a representation in writing to the Ombudsman with triplicate sets of application.
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.



SECRETARY

Encl: Certified copy of order (03 pages).

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No: CG - 95/2019

In the matter of:

Shri Surender Kumar  
House No. 127,  
Gali No. 14,  
Amritpuri, 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. Ms. Anchana Arora, Deputy General Manager (B), Division - Nehru Place
2. Shri Rajesh Kumar Gupta, SO, Co-co-ordinating Cell, Nehru Place

(Date of Hearing: 03.12.2019)

(Date of Order: 12.12.2019)

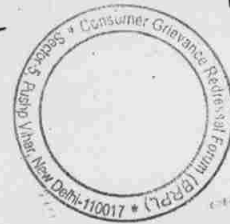
**ORDER**

**Shri Atul Nigam, Chairman**

Briefly stated case of the complainant is that the complainant applied two new connections vide application No. 8004154394 and 8004154399 at House No. 127 Gali No. 14, Amritpuri, Garhi, New Delhi. The above said building is very old constructed and he applied for two new electricity connections for basement and ground floor which were rejected by the respondent due to the reason that ELCB is required, energy dues of CA no. 101853606 are there and building height is more

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than 15 metres. Complainant has approached respondents several times, however all his efforts went in vain and his grievance was not redressed by BRPL, being aggrieved, complainant filed this complaint before us, which was registered.

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

Respondent submitted reply vide letter dated 02.12.2019 that on receiving the new connection request vide application no. 8004154394 and 8004154399, the site was visited on 16.10.2019 and found that building height was more than 15 metres. Accordingly, the same was informed to the complainant through deficiency letter mentioning that the new connection request was not processed due to the reasons as mentioned below:-

1. Same site dues – CA No. 101853606 but now the bill was paid on 29.11.2019.
2. ELCB not installed – ELCB is required to be installed as per DERC guidelines.
3. Building height is more than 15 Mtrs – As per DERC guidelines Fire clearance certificate is required.

The new connection application was rejected due to the above reasons.

During hearing, complainant submitted that the complainant applied two connections in a building where connections are already running. Respondent has refused to give new connections, as the height of the building is more than 15 metres. However, respondent reiterated their stand that connection can be installed after installation of ELCB and fire safety clearance is required.

We have heard the parties and have gone through the records and deliberations before us. This is an old building and there are several other connections which are running. DERC clarification has been received on the issues relating to grant of new electricity connection to a building having total height upto 15 metres without stilt parking and 17.5 metres with stilt parking 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 clearance certificate for the residential buildings having height upto 15 metres without stilt parking and 17.5 metres with stilt parking.

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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 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.

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 which is mandatory for release of new electricity connection.

Accordingly, case is disposed off.

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

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

Sd/-  
(Atul Nigam)  
Chairman

