

OFFICE OF ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057

(Phone: 011-41009285 E.mail: elect_ombudsman@yahoo.com)

Appeal No. 05/2026

(Against the CGRF-BYPL's order dated 09.02.2026 in Complaint No.353/2025)

IN THE MATTER OF

Shri Nawaz Mehmood

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri Nawaz Mehmood alongwith Shri N. K. Ray, advocate.

Respondent: Shri Ravinder Singh Bisht, DGM (Legal), Shri Sachin Dubey, Manager, Shri Akshat Aggarwal, Legal Retainer, and Shri Sanjay Kumar, Advocate on behalf of BYPL

Date of Hearing: 06.05.2026

Date of Order: 07.05.2026

ORDER

1. Appeal No.05/2026 has been filed by Shri Nawaz Mehmood, R/o J-51, Upper Ground Floor, J - Extn., Plot No.5, Laxmi Nagar, Near Abdullah Masjid, Delhi - 110092, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 09.02.2026 in Complaint No.353/2025.

2. The background of the case is that the Appellant had applied for a new electricity connection (domestic category) at the Upper Ground Floor of the aforesaid premises, vide request no.8007814332. Appellant contended that the Respondent deliberately rejected the request on the basis of two grounds: (i) connection already exists; (ii) floor mismatch/wrong floor applied. Furthermore, the site visit report indicated that five connections have already been released by the Respondent on the ground, first,



second, third, and fourth floors. However, he was denied without considering the fact that there is no electric connection at his upper ground floor. Besides that, the height of the applied floor is within the permissible limit of 15 meters.

3. The Discom, in its written submission, presented before the Forum, stated that upon receiving a request for a new connection on 12.08.2025, the site in question was visited on 21.08.2025. It was found that the building consists of a ground floor plus five floors, with five meters being feasible and already existing. However, an electricity connection with CA No.151253179 (meter no.70269548) already existed at the premises in question. Additionally, there is a discrepancy/mismatch regarding the applied floor. Moreover, the height of the building is 17.5 meters, which necessitates obtaining a Building Completion Certificate (BCC) from the MCD and a No Objection Certificate (NOC) from the Fire Department, in accordance with applicable Rule 27 of the Delhi Fire Services Rules, 2010.

4. The Forum, in its order dated 09.02.2026 directed the Respondent to conduct a joint site inspection to verify the factual status of the premises. The site visit report confirmed that the building comprises six total units, consisting of two units on the ground floor and one unit each on the first to fourth floors. It is evident from this report that the premises is a multi-storied building with multiple existing connections granted to individuals, including CA No. 151253179 at the applied premises.

The Forum observed that the building is a multi-floor structure. The Appellant failed to provide cogent documentary evidence proving the height is below the prescribed limit of 15 meters. No documents were submitted by the Appellant to show that the Building Completion Certificate (BCC) or Fire Department NOC were not applicable. Consequently, due to the lack of mandatory statutory clearances and the presence of an existing connection, the Forum declined to grant any relief to the Appellant.

5. The Appellant, dissatisfied by the above-said order, has preferred this appeal, reiterating his stand as before the Forum. Appellant argued that he had applied for a connection at the Upper Ground Floor, which was rejected on the pretext of an existing electricity connection, CA No.151253179, and the necessity of a Fire NOC. However, regarding the existing connection, the Appellant contended that the alleged connection was installed for the third floor in the name of one Mohd. Abid, rather than the requested upper ground floor. Furthermore, the height of his floor is less than 15 meters. Therefore, he is entitled to obtain the requisite electricity connection.



The Appellant has requested to grant the applied connection for the upper ground floor in his name. In addition, the Appellant has no objection if BYPL decides to remove CA No.151253179 after releasing his new connection.

6. The Discom, in its written submission to the appeal, reiterated the facts as placed before the CGRF-BYPL. In addition, the Discom submitted the bills of existing five DX meters installed at the building, in question, and details in tabular forms, as per site revisit report dated 31.12.2025, hereunder:

S. No.	CA No.	Meter No.	Details (As per Bill)	Supply Used
1.	153804290	55462210	Mohd. Fazlur Rehman, G/F	Ground Floor
2.	154160476	25243745	Ms. Shabnam, F/F	Third Floor
3.	151268100	70269552	Ms. Noorjahan, S/F	Second Floor
4.	151253179	70269548	Mohd. Abid, T/F	First Floor (Appellant claims UGF)
5.	151943169	351922201	Ms. Shaheen, Fourth Floor	Fourth Floor

The Respondent asserted that the construction of an additional top floor erected after the last electricity connection was granted, raising the building's total height beyond 15 meters. Consequently, the Appellant's request for a new connection for this floor requires compliance with specific statutory and regulatory documentation, which the Appellant allegedly bypassed by misrepresenting the floor's name. This conduct, characterized as a suppression of material facts, renders the application liable for *ab initio* rejection, especially since the Appellant failed to provide an architectural certificate proving the height remains under the 15-metre permissible limit. In support of this stand, the Respondent cited Rule 27 of the Delhi Fire Service (DFS) Rules, 2010, in conjunction with the DERC Principal Order dated 31.08.2017 and Sixth Amendment to the Schedule of Charges and Procedure Order, 2021 (notified on 15.04.2021).

The Respondent contended that a new electricity connection for DX purposes cannot be issued for a building consisting of a ground floor plus five floors, as this violates Rule 27 of the Delhi Fire Service Rules, 2010. This argument is further supported by the Supreme Court's interpretation in *Vikas Singh vs. GNCTD (2022)*, which links Rule 27 with the Master Plan for Delhi 2021, the Unified Building Bye-Laws



2016, and the Delhi Development Act 1957. These regulations collectively mandate fire clearance for buildings of certain heights as a prerequisite for electricity services. Additionally, the Respondent referenced the Ombudsman's order dated 05.12.2024 in *Shri Firoz Khan vs. BSES Rajdhani Power Ltd. (Appeal No.28/2024)*, which upheld that buildings exceeding 15 meters pose major safety risks and required even existing consumers to obtain a Fire NOC.

7. The appeal was admitted and fixed for hearing on 29.04.2026 which later postponed to 06.05.2026, as requested by the Respondent. During the hearing, both parties were represented by their authorized representative/ advocates. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman and the Advisor (Engineering).

8. During the hearing, the Advocates representing the Appellant reiterated the claims, arguments, and requests made in the appeal. In response to a query raised by the Ombudsman regarding the building's structure, specifically whether it comprises G+5 floors or G+4 floors, the Appellant submitted that the top floor contains only a single room; thus, it is admitted that the building consists of ground plus five floors. The Appellant asserted that he purchased the upper ground floor on 12.10.2022 through a registered sale deed. Since 2022, the electricity supply has been provided through connection CA No.XXXXX179, registered in the name of one Mohd. Abid, installed at the third floor. Consequently, the Appellant has been paying the bills regularly. However, he seeks to get a connection in his own name for the upper ground floor, which was denied by the Respondent on the grounds of an existing electricity connection and the building's height exceeding permissible limits of 15 meters. To address the concept of the upper ground floor, along with the first floor etc. in a building, Advisor (Engineering) thoroughly explained it in accordance with the prevailing Unified Building Bye-laws-2016. It was further clarified that the available records, including the recent joint site re-visit report, as per direction of the Ombudsman, indicated that total five connections (DX category) exist within the building (G+5 floors). Out of these five connections, four were installed for individuals on the Ground, First, Second, and Third floors in 2007, while one was installed on the Fourth floor in 2016 at the building in question.

9. In rebuttal, the Advocate for the Respondent reiterated the arguments made in the written submission to the appeal. The Officer present stated that according to the site inspection report of 2016, while installing last electricity connection, the applied building structure was G+4 floors, which subsequently appears to have changed to G+5 floors after construction. Presently, the building structure is G+5, as mentioned in the site inspection reports.



10. During the hearing, the Ombudsman highlighted that the Respondent's assertion was that the Appellant had misrepresented the first floor as the upper ground floor. However, it is an admitted fact that the connection was indeed applied for the upper ground floor of the building (residential in nature) and complies with the permissible height limit of 15 meters without stilt parking, as per the prevailing Schedule of Charges and the Procedure (Sixth Amendment) Order, 2021.

11. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

- (a) That the Appellant purchased built up 2 Bed Room flat, fitted with electric and water connection installed at the Upper Ground Floor having 59.6 sq. yards area from part of property no.51 (Plot No.5), out of Khasra No.57/14, situated in abadi of J-Extension, Laxmi Nagar via proper registered sale deed with relevant Sub Registrar on 20.10.2022.
- (b) The Appellant sought connection at the Upper Ground Floor which is covered under Schedule of Charges and the Procedure (Sixth Amendment) Order, 2021 (notified on 15.04.2021). Relevant part of which is as under:

"2.0 Amendment in Clause 2 of the Principal Order:

(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:

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.”

12. In the light of the above, this court directs as under:

- (i) The order of the CGRF-BYPL is set-aside.
- (ii) Respondent is directed to release the electricity connection within seven days, considering same application no.8007814332 and intended floor mentioned in the application.
- (iii) Field Associate(s) should be conversant with the Unified Building Bye-Laws (UBBL) 2016 as during visit the site, he should mention the floors of the site accordingly rather than as informed by the Appellant or else.
- (iv) Electricity connections granted to other individuals in the building which are more than 15-meter height should be reviewed by the Respondent as per DERC's Sixth Amendment Order of 2021.
- (v) The Action Taken Report be shared within 30 days to this office.

13. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.


(P. K. Bhardwaj)
Electricity Ombudsman
07.05.2026