

Confidential

**Investigation report of enquiry as per order of Hon'ble Electricity Ombudsman
regarding the matter of Sh. Nirbhay Mehta vs. BYPL**

(Appeal No. 46/2025)

1. Gist of Complaint:

The present case was received by the Vigilance Department on 05.03.2026 pursuant to the Order dated 08.01.2026 passed by the Hon'ble Electricity Ombudsman in the matter of *Sh. Nirbhay Mehta vs. BYPL*. The Hon'ble Ombudsman directed the Vigilance Department to conduct an inquiry into the circumstances under which an electricity connection was released at House No. 16-A/8, Ground Floor, W.E.A., Karol Bagh, Delhi, despite the property having been booked by the MCD and concerns having been raised regarding the building height and compliance with fire safety requirements.

2. Investigation

The investigation comprised scrutiny of SAP records, examination of relevant documents, recording of statements of the concerned officials, inspection of the site, and examination of the applicable regulatory framework, including the DERC Guidelines and the Unified Building Bye-Laws, 2016 (UBBL-2016).

Upon scrutiny of the records during the course of the investigation, the following observations emerged:

- **Initial Application and Rejection:** Mr. Nirbhay Mehta initially applied for a 3 kW (NX) electricity connection for the ground floor of the subject premises on 06.01.2025. The application was rejected on 09.01.2025 on the grounds that the property had been booked by the MCD, the Architect's Certificate had not been submitted, the premises required an ESS, the internal wiring was incomplete, and

concerns existed regarding compliance with fire safety requirements. The application was subsequently auto-cancelled.

- **Proceedings before the CGRF:** Aggrieved by the rejection, Mr. Nirbhay Mehta approached the Hon'ble Consumer Grievance Redressal Forum (CGRF) by filing a complaint on 01.07.2025. Vide Order dated 25.09.2025, the Hon'ble CGRF upheld the rejection to the extent that Fire Safety Clearance was required. However, it observed that the grounds relating to the ESS requirement and incomplete wiring were not sustainable.
- **Fresh Application:** Thereafter, on 24.10.2025, the applicant submitted a fresh application seeking release of a 6 kW electricity connection for the ground floor. Along with the application, he furnished additional documents, including a No Objection Certificate (NOC) from the co-owner, an affidavit, and an Architect's Certificate certifying that the height of the building was within 15 metres.
- **Appeal before the Electricity Ombudsman:** Prior to the completion of the process for release of the fresh connection, Mr. Nirbhay Mehta preferred an appeal before the Hon'ble Electricity Ombudsman on 29.10.2025 against the Order dated 25.09.2025 passed by the Hon'ble CGRF in Complaint No. 255/2025.
- **Release of Electricity Connection:** Following a fresh site inspection, verification of the Architect's credentials through the MCD portal, and approval by the competent authority, the electricity connection was released on 03.11.2025.

3. Investigation Findings:

Upon further examination during the course of the investigation, the following additional observations were made:

- **Site Inspection:** The site inspection conducted by the Vigilance Department revealed that the building comprised a Basement, Ground Floor, and Four Upper Floors, with limited rooftop construction covering approximately 8% of the terrace area. No additional structure was found that could indicate any ongoing or imminent construction likely to alter the building's effective height.

- **Verification of Documents:** The documents submitted by Mr. Nirbhay Mehta in support of his fresh application bearing Order No. 8007964456 dated 24.10.2025 were scrutinized and found to be complete and in order.
- **Statements of Concerned Officials:** The statements of the concerned officials established that the initial application was rejected based on the deficiencies and documents available at that time. The subsequent application was processed only after the applicant furnished the requisite documents, which were duly verified in accordance with the prescribed procedure.
- **Verification of Architect's Certificate:** The Architect's Certificate submitted by the applicant was verified through the MCD portal and was found to be genuine. The certificate confirmed that the effective height of the building was within the permissible limit prescribed under the applicable regulations.
- **MCD Booking:** The connection presently in issue was applied for, and released in respect of, the **ground floor** of the premises alone. A close and floor-wise examination of the original notice dated 02.12.2015 (issued by the office of the AE(B)/KB-2, North Delhi Municipal Corporation) reveals that the said notice records the condition of each floor of the building individually, and describes the basement, ground floor, first floor, second floor and third floor as "**old and occupied**". It is only in respect of the fourth floor that the notice records "U/C in the shape of entire fourth floor." The continuation booking vide letter No. D-726/EE(B)/KBZ/2019 dated 27.05.2019 similarly records the booking, in continuation of the 2015 notice, as extending further only to "partly fifth floor," again noting that "existing building is old and occupied." The booking, on a plain and floor-wise reading of the MCD's record, is confined exclusively to the fourth floor (in its entirety) and a limited (approximately 8%) portion of the fifth floor. No part of the ground floor has, at any point of time, been the subject-matter of an MCD booking for unauthorized construction
- **Regulatory Compliance:** In terms of the DERC Explanatory Note read with Clauses 1.4.16 and 7.19 of the Unified Building Bye-Laws, 2016 (UBBL-2016), limited rooftop appurtenances are excluded from the computation of the building height. Accordingly, the limited rooftop construction observed during the site inspection did not alter the effective height of the building for the purposes of determining regulatory compliance.

4. Case Analysis:

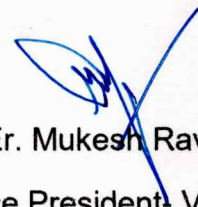
The investigation established the following:

- The initial rejection of the applicant's request for release of an electricity connection was justified on the basis of the records, documents, and deficiencies existing at the relevant time.
- The subsequent release of the electricity connection was based upon a fresh application supported by additional documentary evidence, technical verification, verification of the Architect's Certificate, and approval by the competent authority, in accordance with the applicable procedure.
- The decision to sanction the electricity connection was taken after due scrutiny and verification of the documents submitted with the fresh application and did not amount to a disregard or review of the earlier rejection, which had been based on the facts and documents then available.
- The investigation did not reveal any material indicating mala fide intent, favoritism, abuse of official authority, extraneous consideration, or deliberate violation of the applicable rules, regulations, or prescribed procedures on the part of the concerned officials.

5. Conclusion:

The Vigilance Inquiry concludes that the release of the electricity connection was based on a fresh application supported by additional documentary evidence, technical verification, and due compliance with the applicable regulatory provisions.

The investigation has not revealed any material indicating mala fide intent, misconduct, abuse of official position, or violation of the prescribed procedure on the part of the concerned officials. Accordingly, no vigilance angle is found to be involved in the matter.



Er. Mukesh Ravivanshi

Asst. Vice President, Vigilance BYPL