

**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**

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**Appeal No. 20/2025**

(Against the CGRF-BYPL's order dated 12.03.2025 in Complaint No. 03/2025)

**IN THE MATTER OF**

**Shri Piyesh Grover  
(Thru Shri Bharat Bhushan)**

**Vs.**

**BSES Yamuna Power Limited**

**Present:**

Appellant: Shri Bharat Bhushan, Father of the Appellant.

Respondent: Shri Kavita Gupta, GET (Officer), Ms. Chavvi Rani, Legal Retainer and Shri Akash Swami, Advocate, on behalf of BYPL

Date of Hearing: 09.07.2025

Date of Order: 10.07.2025

**ORDER**

1. Appeal No. 20/2025 dated 12.03.2025 has been filed by Shri Piyesh Grover, R/c G-40, Radheypuri, Krishna Nagar, Delhi - 110051 through his father Shri Bharat Bhushan, against the Consumer Grievance Redressal Forum – Yamuna Power Limited (CGRF-BYPL)'s order dated 12.03.2025 in Complaint No. 03/2025.

2. The background of the case is that the Appellant, Shri Piyesh Grover, owns a first floor shop measuring 4.46 sq. meters at 32 & 33, MPL No. 8, Kucha Chaudhary, Chandni Chowk, Delhi – 110006. He had applied for a non-domestic connection for his shop, which was rejected by the Discom due to the requirement of fire safety clearance because the building height is more than 15 meters (GF+5+Commercial) through their "Deficiency Intimation" letter dated 11.08.2024.

*AWL*

3. After being denied the release of the electricity connection by the Discom, the Appellant filed a complaint before the Forum, contending that the building in question consists of Ground Floor + Four Floors and a small mezzanine floor. Further he approached the Delhi Fire Service Department (DFS) for obtaining the necessary certificate as demanded by the Discom. However, the DFS vide its letter dated 29.11.2024 stated that they do not issue Fire Safety Certificate for the installation of electric meters and for mercantile buildings (shops), having height more than 9 meters including the mezzanine floor. Fire clearance was mandatory, and, therefore, the local authority is required to provide a reference accordingly. Furthermore, the Appellant stated that he had applied for a non-domestic connection only for the purpose of running a godown/warehouse. As he owns only one small shop, he is unable to submit a Fire Safety Certificate for the entire building and requested that the electricity connection be granted to him on the basis of an Architect's Certificate (but not found in the record). The Appellant also expressed his willingness to give an undertaking/affidavit stating that in case fire or any accident occurring in his shop resulting in loss of life or property, he would not demand any compensation from BSES-BYPL and he shall not use any kind of pollution work in his shop. To support his contention, he submitted all the relevant documents to the Forum, which were taken on record. Additionally, he requested a correction of the spelling of his name to "Piyush" instead of "Piyush".

4. The Discom, in response submitted that upon inspection of the building for which a connection was applied for, it was found that the building is a commercial in nature and consists of Ground Floor + Five additional Floors (Ground Floor + First Floor + Mezzanine Floor + Second Floor + Mezzanine Floor + Third Floor + Fourth Floor + Fifth Floor). It was also noted that 60% of the total area of the terrace has been covered by the fifth floor. Further, the height of the building has more than 15 meters, which mandates requisite Fire NOC. Moreover, the complainant has not submitted any trade license/permission from the relevant authorities. In response to the contention of the complainant that other connections have been released in the building from time to time, the Discom submitted that the last connection was released in 2015, and they rightly rejected his application relying upon the High Court of Delhi judgement dated 06.02.2020 in the matter of M/s Azra vs State of NCT of Delhi in case No. WP(C)/453/2019.

5. The Forum, in its order dated 12.03.2025 considered that the complainant's application had in violation of provisions of Rule 27 of Delhi Fire Service Rules, 2010 read with Regulations specified in DERC's Supply Code, 2017, as well as DERC's letter No. F.17(85)/Engg./DERC/2016-17/5409/487 dated 31.05.2019, and the Sixth Amendment Order dated 15.04.2021. The Forum, further quoted the Fire Department's reply dated 29.11.2024, specified the requirement of fire clearance for the mercantile buildings (shop) having a height more than 9 meters. Accordingly, the Forum has not acceded to grant of a new electricity connection to the Appellant.

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6. The Appellant, aggrieved by the above cited order, has filed this appeal reiterating the same as placed before the CGRF-BYPL. In addition, the Appellant submitted that apart from Fire 'NOC', he would try to get any other document, such as a trade license from the Government of NCT of Delhi. He also referred a judgement of Calcutta High Court in the matter of St. Mary's Technological Foundation vs. The West Bengal State Electricity Transmission Company Ltd., and requested to release the applied connection under Article 21 of Constitution of India and showed his inability to arrange Fire NOC, for the entire property, while he owns only one shop at first floor.

7. The Discom, in its written submission dated 26.05.2025 reiterated its stand as before the Forum. In addition, the Discom asserted that the Fire NOC is broader concept rather existence of fire fighting tools, existing passage etc. and referenced an order of similar nature dated 23.10.2024 passed by the Ombudsman in Appeal No. 24/2024, in the matter of Shri Subhash Vs. BYPL, which emphasized the need for the submission of Fire NOC.

8. The appeal was admitted and fixed for hearing on 09.07.2025. During the hearing, the Appellant was represented by his father Shri Bharat Bhushan and Respondent by its authorized representative/advocate. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman, Advisor and Secretary.

9. During the course of hearing, the Authorized Representative (AR) appearing for the Appellant reiterated the contentions and prayer as in the appeal. In response to a query by the Ombudsman as to whether the Appellant had approached the local authority for Fire Clearance Certificate (FCC), in view of the observations of Fire Department in its letter dated 29.11.2024, he denied the same. He expressed his willingness to give an undertaking in this regard that the Discom will not be held responsible, if any fire incident happens in future, in response to a query raised in by the Advisor (Engineering). He submitted that a total 15-20 electricity connections installed in the building by the Respondent When further asked whether any old electricity connection existed in the applied shop or not, he could not submit convincing response. He submitted that at the time of purchasing the shop in 2011, an electricity connection was already existed there in the name of erstwhile owner. The said shop was rented out to the tenant for almost seven years and subsequent bills were being paid by the tenant himself. Later, he vacated the shop but while asking about the relevant bills/CA Number, he showed his inability to find it. He submitted that since then the shop remained vacant. Presently, he did not have any information/record about erstwhile connection. He prayed for releasing of requisite connection without submission of Fire Clearance Certificate (FCC), considering his age and on humanitarian grounds.

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10. In rebuttal, the Advocate appearing for the Respondent reiterated its contentions as in the written submission. Advocate emphasized that the CGRF has rightly observed the building structure is Mercantile in nature and the Rule 27 of Delhi Fire Service, 2010 is categorically applicable in the instant matter. He submitted that the existence of erstwhile connection was not in their knowledge as this fact was never pleaded earlier. Apart from that the site inspection report did not mention any detail of that connection. If the connection was there, it could have been reflected in commercial feasibility (CF) report.

11. During the hearing, Advisor (Engineering) explained to the Appellant that if any connection exists in the premises, it would be reflected in the CF report, while checking it in system, the applied address shows the details of existing/disconnected connection as well as pending dues on premises, if any. However, in the instant matter, nothing has been placed on record either by the Appellant or by the Respondent in its CF report. It could be possible that the electricity was being catered through the sub-meter by the tenant which was not in the knowledge of the Appellant. Moreover, the connection could only be granted upon submission of FCC subject to completion of other commercial formalities.

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

- (a) The Forum, referencing Rule 27 of Delhi Fire Service, 2010, treated building height more than 9 meters dismissed the complaint for release of new connection.
- (b) It is not in dispute that the building is commercial and its total height is more than 15 meters. As per Regulation 27 of Delhi Fire Service, for mercantile buildings more than 9 meters, fire 'NOC' is required.
- (c) The Appellant claims to be owner of a small shop 4.46 sq.mtrs. on first floor and not owner of entire building, he cannot obtain 'NOC' for the entire building.
- (d) The Appellant has approached to DFS vide his letter dated 20.11.2024 regarding installation of electricity connection and DFS replied on DFS does not issue Fire Safe Certificate for installation of electricity meter and mercantile buildings (shops) having height more than 9 meters or the building having more than ground plus two upper stories including mezzanine floor require fire clearance and therefore the local authority is required to provide a reference accordingly.

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- (e) How and why the Discom released other connections on various floors in violation of Regulation 27 Delhi Fire Service, need examination. Fire clearance is required for entire building. Discom has a role to issue necessary direction to all concerned. There can be no compromise with safety of human lives and property.

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

- (i) For release of applied connection "Fire NOC" is required. Order passed by the CGRF-BYPL is upheld.
- (ii) After submitting the 'NOC' from the Fire Service Department, the connection could be released subject to completion of other commercial formalities in accordance with the Regulations.
- (iii) Connections released in the building needs to review by Discom.

14. 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.

AM  
10.7.2025  
(Ali Zamin)  
Electricity Ombudsman  
10.07.2025