

**DELHI ELECTRICITY REGULATORY COMMISSION**

**(Engineering Division)**

**Minutes of Meeting**

**Sub:-Issues to Resolve Problems in Release of Electricity Connections**

A Meeting was held under the Chairmanship of Hon'ble Member, DERC on 16.06.2023 at 12:30 in DERC on the subject cited above. The list of participants is enclosed at Appendix-I.

At the outset, the Hon'ble Member, DERC, welcomed all the officials from different departments and provided a brief overview of the meeting's purpose, which included the following points:

- i. To discuss the challenges faced by DISCOMs/consumers in releasing new electricity connections, particularly in MCD-booked premises.
- ii. Requirements of fire clearance and its impact on the release of new connections.
- iii. To establish a uniform and efficient process for releasing new electricity connections, ensuring compliance with relevant regulations and standards.

During the meeting, the following issues were discussed with the respective departments:

**Fire Department**

During the discussion with the Fire Department, the issues faced by consumers related to building height, mixed occupancy in buildings and non-renewal of NOC in the release of new connections were addressed. It was informed that the Delhi Electricity Regulatory Commission (DERC), through its order DERC Schedule of Charges and the Procedure (Sixth Amendment) Order, 2021 dated 15.04.2021, has notified the following regarding the release of electricity connections:

*“(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;”*

*4(2) The Distribution Licensee shall inspect such premises periodically.”*

During the meeting, it was suggested to adopt a similar approach for all buildings other than residential buildings. Officials from the Department of Delhi Fire Services (DFS) pointed out that buildings other than residential ones with a height exceeding 15 meters pose greater risks due to a larger number of occupants and the presence of more flammable materials.

Further The buildings more than 15 meters height, namely the high rise buildings shall require fire clearance certificate/NOC in order to ensure safety as per direction of the Hon'ble High Court Order in W.P(C) 11236/2017 in Parivartan Foundation vs. SDMC & Ors.

After deliberation, it was decided that DISCOMs would release electricity connections without requiring a No Objection Certificate (NOC) from the Fire Department for all buildings other than residential buildings that have a height of up to 15 meters.

It was highlighted that the renewal/revalidation of NOC for high rise buildings is required periodically as per the Delhi Fire Services Act, 2007 provisions. In the case of a high rise building, the NOC or its renewal is to be applied for whole building and not for individual consumers. In view, it was decided, after deliberation, that, if any new connection is required by an individual consumer within a building where NOC is expired, the DISCOMs may provide the new connection to that consumer with intimation to DFS (Department of Delhi Fire Services). The DFS may issue a formal notice to the building owner/association, as the case may be, notifying them of the requirement to renew the Fire NOC.

### **MCD**

During the meeting, DISCOMs highlighted various issues in respect of notices issued from MCD regarding booked premises from time to time, some of these notices are referencing to incomplete addresses and are not properly identified. There are instances where premises are partially booked, and it is unclear whether electricity connections can be provided to the other portions of such buildings. Furthermore, current validity/status of MCD notices are not updated/clarified, despite references from DISCOMs.

Considering these issues, it was discussed to carry out reconciliation of addresses or to appoint a Nodal Officer not below the rank of Assistant Engineer who would update information on booked premises and coordinate with DISCOMs. Further, it was also agreed that all newly booked properties would be provided with geo-coordinates and photos to facilitate easy identification/verification. It was also decided that an updated list would be uploaded by MCD on their website and shared with DISCOMs on a monthly basis. Additionally, the suggestion to create a common portal/dashboard containing updated information on areas booked by MCD was also put forth, to serve as a long-term reference.

Another matter regarding fake verification certificates of building height provided by MCD empaneled architects was discussed. The Commission, through its letter dated 21.02.2023, clarified that the distribution licensees should accept certificates from empaneled architects of Government Land Owning Agencies, such as the Delhi Development Authority or the Municipal Corporation of Delhi or NDMC, who are responsible for the jurisdiction where the premises in question are located. These certificates should certify the total height of the building for the purpose of processing electricity connection applications. However, the distribution companies (DISCOMs) have informed that they are receiving fake certificates from empaneled architects. After further deliberation, it was proposed to provide list of selected empanelled architects authorized for the verification of building height. Additionally, it was suggested that a mechanism be considered for the development of a portal. This portal would allow uploading of verified certificates for reference of DICOMs/consumers serving as official record. This approach is similar to the method adopted by the Institute of Chartered

Accountants of India (ICAI) for verifying certificates issued by Chartered Accountants through their portal using the Unique Document Identification Number (UDIN).

DISCOMs also mentioned about GoNCTD's Delhi Special Laws Act 2011 whereby exceptions have been provided for booked properties. It was decided that in cases where the date of construction of a building is unknown, the date of MCD booking may be treated as the date of construction for consideration of exception to such notified/booked premises.

In case, where a part portion of a building is booked, the electricity connection may be released for the portion which is not booked.

### **DDA**

DDA vide its Letter No. LPCR/FI 7 /0002/2023/PLDA/O/o DD(Land Pooling)/87 dated 02.05.2023 has informed that as per the Land Policy of 2018, DDA has not granted any development license to any Company/Society/Trust/Landowner for the development of their agricultural land for residential/commercial/industrial purposes. Therefore, action is being taken against unauthorized construction/development. In light of this, TPDDL was requested not to issue/sanction new electricity connections and to disconnect any connections that have been recently issued in 23 areas.

DDA informed that no new connections should be provided outside the boundaries of the urbanized village. After deliberation, it was decided to have a meeting with TPDDL at Vikas Sadan on 21st June 2023 at 03:00 PM. The purpose of the meeting will be to discuss the issues related to boundary delineation and to provide GIS coordinates for specific locations as a point of reference.

Meeting ended with a vote of thanks to the Chair

**LIST OF PARTICIPANTS**

The following officials from DERC, DDA, MCD, Delhi Fire Services and DISCOMs attended the meeting:

**DERC**

1. Sh. A. K. Ambasht, Hon'ble Member
2. Sh. Rajesh Dangi, Secretary
3. Ms. Divya Tandon, Executive Director (Law)
4. Sh. Anil Jain, Executive Director (Engg.)
5. Sh. V. B. Nagappan, Advisor (Finance)
6. Sh. Neeraj Singh Gautam, Joint Director (Engg.)
7. Sh. Himanshu Chawla, Joint Director (T-Engg.)
8. Ms. Sharda Yadav, Dy. Director (T&D)

**MCD**

1. Sh. Gyanesh Bharti, Commissioner
2. Sh. V. K. Bhatia, CE (B) HQ
3. Sh. J. S. Yadav, SE(B) HQ

**DDA**

1. Dr. Tariq Thomas, Commissioner
2. Sh. Praveen Kumar, Assistant Director

**Department of Delhi Fire Services**

1. Sh. Atul Garg, Director
2. Dr. S. K. Tomar, DCFO
3. Sh. Somvir Singh, ADO

**DISCOMs**

1. NDMC
  - i. Sh. A.W. Ansari, JD (Engg.)
2. Sh. Amal Sinha, Group CEO, BSES
3. BRPL
  - i. Sh. Vivek Sikka, CEO
  - ii. Sh. Rajul Agarwal, Head-Regulatory Affairs
  - iii. Sh. Sanjeev Gupta, Head-Business
  - iv. Sh. Raj Arora, Head-Legal
  - v. Sh. Piyush Agarwal, GM (Legal)
  - vi. Sh. Kanishk, DGM (Regulatory)
4. BYPL
  - i. Sh. Amarjeet Singh, CEO
  - ii. Sh. Brajesh Kumar, Head-Business
  - iii. Sh. Rohit Sharma, Head-Legal
5. TPDDL
  - i. Sh. Dwijadas Basak, Chief Commercial
  - ii. Sh. Piyush Tandon, Regulatory Head
  - iii. Sh. Joydeep Roy, Head (RCM & CWG)
  - iv. Sh. Manish Jain, HoG (Regulatory Affairs)
  - v. Sh. Rajeev Jain, HoG (CWG)
  - vi. Ms. Yashika Kumar, AGM (CWG)