



दिल्ली विद्युत विनियामक आयोग
Delhi Electricity Regulatory Commission

विनियामक भवन, सी-ब्लॉक, शिवालिक,
मालवीय नगर, नई दिल्ली-110017
Viniyamak Bhawan, C-Block, Shivalik,
Malviya Nagar, New Delhi-110017



F.17 (85)/Engg./DERC/2016-17/5403/487

31.5.2019

To

The Secretary,
New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110001.

The Chief Executive Officer,
Tata Power Delhi Distribution Ltd.,
33 KV Grid Sub-station, Hudson Lane,
Kingsway Camp, Delhi - 110 009.

The Chief Executive Officer,
M/s BSES Rajdhani Power Ltd.,
BSES Bhawan, Nehru Place,
New Delhi - 110019.

The Chief Executive Officer,
M/s BSES Yamuna Power Ltd.,
Shakti Kiran Building, Karkardooma,
New Delhi - 110 092.

Subject: Request for resolution of various issues relating to grant of new electricity to a building having total height upto 17.5 meters.

Sir,

This has reference to letter No. (i) RA/2019-20/A/01/59 dated 13.05.2019 & (ii) No. RA/BYPL/2019-20/41 dated 25.05.2019 received from BRPL and BYPL respectively, related to the issue of grant of new electricity connection to a building of height upto 17.5 meters and methodology for measurement of the height of the building.

2. DISCOMs have stated that they insist upon fire clearance certificate from the applicant for release of electricity connection based on the application format prescribed by DERC which inter alia states that in case the total height of the building is more than 15 meters, fire clearance certificate has to be obtained by the applicant and is available.
3. DISCOMs further informed that Delhi Jal Board has clarified that individual water connections may be sanctioned to those dwelling units of the buildings having height of 15 meter without stilt parking and 17.50 meter with stilt parking.
4. DISCOMs have also informed that the buildings are being constructed in Delhi with stilt parking. Clause 4.4.3 of the MPD 2021, the maximum height of a building in a residential-plot- plotted housing is mandated is as under:

"Height: Maximum height of the building shall be 15M in plots without stilt parking and 17.5M in plots with stilt parking. Such residential building shall not be considered as high rise building. For purpose of fire and life safety requirements, clearance of Fire Department will be obtained by the individual plot owner."

5. Hon'ble High Court of Delhi in its judgement dated 29.5.2003 in CWP 2710/1998 and CM 4780/2003 in the matter of Dr. B.L. Wadhera vs. Govt. of NCT of Delhi & Ors. has directed that in all high rise buildings in Delhi and New Delhi, fire safety measures are to be adhered to.

6. Discoms have submitted that there are several instances where the applicants do not agree with the results of the building height as measured by DISCOM official during the field inspection process. In this regard, it is informed that the Unified Building Bye-laws for Delhi stipulate the provision for building height as under:

"1.4.16 Building Height:

a. The vertical distance in the case of flat roofs is measured from the highest surrounding road level/ ground level up to the top of structural slab, excluding machine room, irrespective of location of entry level.

b. In the case of pitched roofs, up to the point where the external surface of the outer wall intersect the finished surface of the sloping roof, and in case of gable facing the road, the mid-point between the eaves level and the ridge.

c. Architectural features serving no other function except that of decoration and other building components mentioned in clause no 7.19 shall be excluded for the purpose of taking height.

d. If the building does not abut on a street, the height shall be measured from the highest level of the ground immediately adjacent to the building."

"7.19 Height Exemptions:

The following structures shall not be included in the height of building covered under Building Bye-Laws.


i. Roof tanks and their supports not exceeding 1.8 m.

- ii. Ventilating apparatus, air conditioning equipments and lift machine room(s) if required as per the specification of lift manufacturer and similar service equipments,
- iii. Stair covered with mumty not exceeding 3.0 m in height.
- iv. Chimneys and parapet wall not exceeding 1.5 m in height
- v. Screen wall upto the height of 1.8 m.
- vi. Solar panel fixed on terrace as per 7.17.2 (p)."

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 meters without stilt parking and 17.5 meters with stilt parking. 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.

8. This issues with the approval of the Commission.

Yours faithfully


(Mahender Singh)
Secretary