

**Explanatory Note on Schedule of Charges and the Procedure (Sixth Amendment) Order, 2021.**

**1.0 Unique Property Identification Code**

1.1 The Commission has received a letter No. Tax/HQ/SDMC/2020-21/D-2183 dated 27.11.2020 from Assessment & Collection Department, South Delhi Municipal Corporation(SDMC) regarding allotment of Unique Property Identification Code (UPIC) to the properties. SDMC has informed that the applicant is required to obtain the Unique Property Identification Code (UPIC) from the SDMC to fulfill the statutory requirement as provided under Section 125 read with Bye-Law 21 of DMC Act. SDMC also ensured that as soon as any request for allotting of UPIC is received to SDMC, the same will be generated online without left of any time.

1.2 Accordingly, the Commission has revised the Annexure-I of the Application form for new connection by adding the column for Unique Property Identification Code (UPIC) at entry No. 3(b).

1.3 The applicant shall obtain the Unique Property Identification Code (UPIC) from the concerned Municipal Corporation of Delhi before applying for new electricity connection.

1.4 In cases where the applicant has applied for Unique Property Identification Code (UPIC) and the Code is not issued by the concerned Municipal Corporation of Delhi or in case where Unique Property Identification Code (UPIC) is not being issued by the Municipal Corporation of Delhi, the application for new electricity connection shall be processed without requirement of Unique Property Identification Code (UPIC).

**2.0 Electricity Connection in High Rise Buildings**

2.1 The Commission vide its letter no.F.17(85)/Engg./DERC/2016-17/5403/487 dated 31.05.2019 has clarified that the Distribution Licensees 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. Further, the measurement of 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.

2.2 The Commission received the representation from the stakeholders of Delhi that they are facing the issue of getting electricity connection in those dwelling units which fall within the height of 15 meters without stilt parking and 17.5 meters with stilt parking, as the total height of the building is more than 15 meters without stilt parking and 17.5 meters with stilt parking.

2.3 Distribution Licensees have also made the similar representation that such connections without fire clearance certificate has been rejected based on the total height of the building.

2.4 Summarizing above, the following issue was raised before the Commission:

- (i) Whether the electricity connection can be granted to the dwelling units in the residential buildings, without insisting the fire clearance certificate, which fall within the height of 15 meters without stilt parking and 17.5 meters with stilt parking, even though the total height of the building is more than 15 meters without stilt parking and 17.5 meters with stilt parking?

2.5 In this regard, the Commission held a meeting with Director, Delhi Fire Services on 11.01.2021 regarding release of electricity connection in high rise buildings which involves safety of public / occupiers of the premises.

2.6 The Director, Delhi Fire Services informed that the Director of Local Bodies, Urban Development Department vide its letter no. F.5(189)/AD/LB/2016/1040-55 dated 25.09.2019 in respect of notification No. F.5(189)/AD/LB/2016/4053-67 dated 27.5.19- amendment/modification in Unified Building Bye-Laws (UBBL) for Delhi-2016 has clarified / approved as under:

- a) *In respect of the buildings covered under the Delhi Special Provisions Act, Fire Department may not insist for demolition of 4<sup>th</sup> floor and above for issue of fire NOC for the purpose of authorization of Hotels and Guest Houses. However, in imposing the condition that such NOC / Fire safety certificate may be granted only if the floor above 3<sup>rd</sup> floor are closed / sealed by way of brick wall. We may instead obtain an affidavit from the Hotel owners that such places will not be used for any use which violates any of the other clauses stipulated under clause 7.31 by aforesaid notification dated 25.05.2019. If there is any subsequent violation fire No Objection Certificate will be withdrawn with immediate effect.*

2.7 The Commission has examined the matter and is of the view that the people occupying the dwelling units in the residential buildings having total height upto 15 meters without stilt parking and 17.5 meters with stilt parking and the people occupying the dwelling units within the height of 15 meters without stilt parking and 17.5 meters with stilt parking only(if the dwelling units above 15 meters without stilt parking and 17.5 meters with stilt parking is not in use), even though the total height of the premises is more than 15 meters without stilt parking and 17.5 meters with stilt parking, may not have any difference. The opinion expressed by the Commission is only in respect of release of electricity connection.

2.8 Accordingly, the clause 2 of the Order dated 31.08.2017 has been modified by inserting the new sub-clauses (3) and (4) as under:

- (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.*

2.9 Further, clause 5 of the Declaration of Annexure-I of the Order dated 31.08.2017 has been substituted and be read as under:

5. *That the building has been constructed as per prevalent building Bye-Laws and the fire clearance certificate, if required, is available with the applicant:*

### **3.0 Non-Requirement of No Objection Certificate from Delhi Jal Board for new Agricultural connection**

3.1 TPDDL vide its letter no. TPDDL/Regulatory/2020-21/03/296 dated 15.01.2021 has submitted to the Commission that Annexure-1 specifying the format for application form of new connection provides for submission / availability of No Objection Certificate from Development Commissioner / Block Development Officer, Delhi Jal Board for tube wells for a new Agricultural connection.

3.2 TPDDL submitted that recently, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt. of India has notified guidelines to regulate and control groundwater extraction in the

country. These guidelines provide for exemption from seeking No Objection Certificate for certain category of consumers, as under:

*"Exemptions from seeking No Objection Certificate:*

*Following categories of consumers shall be exempted from seeking No Objection Certificate for ground water extraction:*

- (i) Individual domestic consumers in both rural and urban areas for drinking water and domestic uses.*
- (ii) Rural drinking water supply schemes.*
- (iii) Armed Forces Establishments and Central Armed Police forces establishments in both rural and urban areas.*
- (iv) Agricultural activities*
- (v) Micro and small Enterprises drawing ground water less than 10 cum/day.*

3.3 TPDDL further stated that they have received queries / complaints from various applicant regarding the exemption from seeking No Objection Certificate in agriculture connection as per above notification. TPDDL has requested the Commission to issue the necessary clarification.

3.4 Accordingly, the Commission has deleted the requirement of No Objection Certificate from Development Commissioner / Block Development Officer, Delhi Jal Board for tube wells at para 7B(ii) of the Declaration of Annexure-I-application form for new connection.

\*\*\*\*\*