



Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08NKS

CA No. Applied For
Complaint No. 168/2023

In the matter of:

Gyan KaurComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Ms. Shweta Chaudhary Ms. Divya Sharma, On behalf of BYPL

ORDER

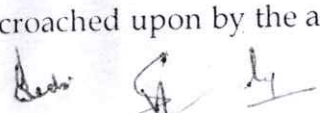
Date of Hearing: 04th May, 2023
Date of Order: 12th May, 2023

Order Pronounced By:- Mr. Nishat Ahmed Alvi, Member (CRM)

1. As per complaint, the complainant applied for new electricity connections vide request no. 8005869875, 8005869880 and 8005869864 at first, second and third floors of premises no. T-650/EA, Road no. 21, Baljeet Nagar, Delhi-110008, but respondent rejected the application of the complainant for new connection due to removal of existing meter required and pole encroached upon by the applicant.

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CGRF (BYPL)

 of 5

Complaint No. 168/2023

2. OP in its reply briefly submitted that the complainant is seeking new connection for first, second and third floors of premises bearing no. T-650/EA, Road no. 21, Baljeet Nagar, Near Janta Park, New Delhi-110008 vide application no. 8005869875, 8005869880 and 8005869880. The said applications of the complainant for new connections were rejected on account of pole encroachment and already there being temporary connection bearing CA No. 351214983.

OP further added that the building wherein new connection is sought has encroached the electricity pole and requisite distance is not maintained as such no new connection can be granted till the unauthorized construction is removed and requisite distance is maintained.

3. Representative of the complainant rebutted the contentions of respondent as averred in their reply and submitted that there is sufficient distance from the pole to the property of the complainant. He further submitted that there is no pole encroachment and no unauthorized construction is upon the property in any manner.

4. LR of the OP submitted that the pole is inside the premise of the complainant and as per Regulation 60 & 61 of the Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2010 the minimum horizontal clearance from the line to the building/structure should be not less than 1.2 meters from the nearest point. Therefore, in view of the said regulations they cannot release connection to the complainant.

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Complaint No. 168/2023

5. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.
6. Provision of the Rule 79 & 80 of Electricity Rules 1956 is as follows:

S. No.	Lines/installations	Minimum vertical clearance where line is passing above a building/structure/balcony etc.	Minimum Horizontal clearance where line is passing adjacent to a building/structure/balcony etc.
1.	Low or medium voltage lines and service lines upto 650 v	2.5. meters from the highest point	1.2 meter from the nearest point
2.	High Voltage line upto and including 11,000 volt	3.7. meters from the highest point	1.2 meter from the nearest point
3.	High Voltage line above 11,000 volt and upto and including 33000 volt	3.7. meters from the highest point	1.2 meter from the nearest point
4.	Extra High Voltage line above 33000 volts	3.7. meters from the highest point (Plus 0.30 meter for every additional 33000 volts or part thereof)	2 meters (Plus 0.30 meter, for every additional 33000 volt or part thereof.

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Secretary
CGRF (BYPL)

 3 of 5

Complaint No. 168/2023

7. Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2010 is as follows:

60. Clearance from buildings of lines of voltage and service lines not exceeding 650 Volts.-

(1) An overhead line shall not cross over an existing building as far as possible and no building shall be constructed under an existing overhead line.

(2) Where an overhead line of voltage not exceeding 650 V passes above or adjacent to or terminates on any building, the following minimum clearances from any accessible point, on the basis of maximum sag, shall be observed, namely:-

(i) for any flat roof, open balcony, varandah roof and lean-to-roof-

- (a) when the line passes above the building a vertical clearance of 2.5 metres from the highest point, and

- (b) when the line passes adjacent to the building a horizontal clearance of 1.2 metres from the nearest point, and

(ii) for pitched roof-

- (a) when the line passes above the -building a vertical clearance of 2.5 metres immediately under the line, and

- (b) when the line passes adjacent to the building a horizontal clearance of 1.2 metres.

(3) Any conductor so situated as to have a clearance less than that specified above shall be adequately insulated and shall be attached at suitable intervals to a bare earthed bearer wire having a breaking strength of not less than 350 kg.

(4) The horizontal clearance shall be measured when the line is at a maximum deflection from the vertical due to wind pressure.

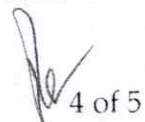
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Secretary
CGRF (BYPL)








4 of 5

Complaint No. 168/2023

5) Vertical and horizontal clearances shall be as specified in schedule-X.
Explanation: - For the purpose of this regulation, the expression "building" shall be deemed to include any structure, whether permanent or temporary.

8. For that purpose, going through the site photographs, submitted by the complainant himself along with his complaint, we find out that the pole is shown inside the upper floor of premises of the complainant. Thus the plea of complainant that there is no violation of the Central Electricity Regulations; ^{but} ~~as~~ ^{and} pole is at sufficient distance is baseless. Rather there is clear violation of safety provisions as provided under Rules 79 & 80 of Electricity Rules 1956 as well as Regulation 60 of Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2010.


ORDER


On the basis of aforesaid facts and circumstances we don't find any merit in the complaint. Hence, the complainant is dismissed as not maintainable.


The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.

Proceedings closed.


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

5 of 5

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