

**CA No. Applied for  
Complaint No. 228/2022**

**In the matter of:**

Munshi Ram .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

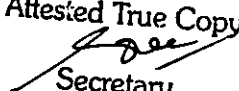
1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A Alvi, Member (CRM)
3. Mr. S.R. Khan, Member (Technical)

**Appearance:**

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary & Mr. Shubham Singh, On behalf of BYPL


**ORDER**

Date of Hearing: 28<sup>th</sup> February, 2023  
Date of Order: 06<sup>th</sup> March, 2023

Attested True Copy  
  
Secretary  
CGRF (BYPL)

**Order Pronounced By:- Mr. S.R. Khan, Member (Technical)**

1. Present complaint has been filed by Sh. Munshi Ram, against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Sh. Munshi Ram, is residing at property no. 2, 1st floor, Maha Laxmi Vihar, Karawal Nagar, Delhi-94. It is also his complaint



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that he applied for new electricity connection vide request no. 8005751846 but respondent rejected his application for new connection but did not mention any reason for rejecting his application.

3. The OP in their reply briefly stated that the complainant applied for fresh new connection at house no. 2, FF, Mahalaxmi Vihar, Karawal Nagar, Delhi vide application no. 8005751846 and application of the applicant was rejected on account of encroachment of pole.

OP further added that as pre Regulation 60 & 61 of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations, 2010 and Section 53 & 68(5) read with Section 161 of the Electricity Act 2003, the following minimum horizontal and vertical clearance is required to be maintained from the electricity mains/installations for any building/structures/balconies/verandas/roof/chajja where an extra High Voltage/High Voltage or Medium Voltage line passes above or adjacent to any building or part of a building to avoid any electrical accident:

| S.No. | Lines/Installations  | Minimum vertical clearance there 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 not exceeding 650 volts    | 2.5 meters from the highest point  | 1.2 meters from the nearest point  |
| 2     | High voltage line exceeding 650 volts upto and including 11,000 volts    | 3.7 meters from the highest point  | 1.2 meters from the nearest point  |
| 3     | High voltage line exceeding 11,000 volts upto and including 33,000 volts | 3.7 meters from the highest point  | 1.2 meters from the nearest point  |
| 4     | Extra High Voltage line exceeding 33KV                                   | 3.7 meters plus 0.30 meter for every additional 33,000 volts part thereof                | 2 meters plus 0.3 meter for every additional 33,000 volts or part thereof                        |

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On account of unauthorized construction the electricity pole of respondent stands encroached by complainant as a consequence no new electricity connection can be granted till the said encroachment is removed.

4. The counsel of the complainant argued that the he applied for new electricity connection vide application no. 8005751846 but OP rejected his application on pretext of pole encroachment. He further added that the pole in question is dead pole and OP has not released any electricity connection from this pole. He also submitted that his premise is not touching or near HVDS system and the distance from the electricity pole and the premise of the complainant is 1.2 meters.
5. The LR of the OP submitted that the complainant has encroached the pole and the upper half portion of the pole is totally engraved inside the wall of the complainant's house. Also, the said pole is dead but if in near future, the electricity demand in the area increases they have to make the said pole alive. This pole inside the premise of the complainant can be hazardous and life threatening in the future. OP also submitted photographs of the site to this effect.
6. Heard both the parties and perused the record. Heard the arguments of Authorized Representative of the complainant and OP-BYPL.
7. The main issue in the present complaint is whether the connection to the complainant can be given when the electricity pole is encroached by the complainant.

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CGRF (BYPL)

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8. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that complainant asked for new connection at premises no. 2, 1st floor, Maha Laxmi Vihar, Karawal Nagar, Delhi-110094, but respondent raised objection that the complainant has encroached the BSES pole. Respondent also submitted photographs of the site which shows that the upper half of the pole is totally inside the premise of the complainant. Though at present the pole is dead but OP submitted that in future, if the electricity demand raises in that area they have make the pole functional. OP's this contention is justified.
9. We are of the view that the complainant should remove the pole encroachment and thereafter, should apply for fresh new electricity connection.

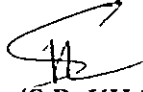
ORDER

Complaint is rejected. OP has rightly rejected the application of new connection of the complainant.

The case is disposed off as above.


No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.

  
(NISHAT A ALVI)  
MEMBER (CRM)

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

  
(P.K. SINGH)  
CHAIRMAN

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