



C A No. Applied For  
Complaint No. 44/2024

In the matter of:

Arun Kumar .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Mr. Deepak Pathak & Mr. Akshat Aggarwal, On behalf of BYPL

**ORDER**

Date of Hearing: 02<sup>nd</sup> July, 2024

Date of Order: 04<sup>th</sup> July, 2024

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The present complaint has been filed by Mr. Arun Kumar against BYPL-Laxmi Nagar. The brief facts of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. ONLNR1001240019 at premises no. US-19, 1st floor back side, Gali No. 1, Uttri School Block, Mandawali Fazalpur, near Puliya, Delhi-110092, but respondent rejected the

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application of the complainant for new connection on the pretext of "incomplete documents".

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking fresh electricity connection for the first floor of premises bearing no. US-19, Gali No. 1, Uttari School Block, Mandawali Fazalpur, Near Railway Puliya, Delhi-92. OP submitted that the subject premises are situated below 66 KV HT lines. During site visit it was found that vertical distance is 1.2 meters from top portion of the building and therefore it is not technically feasible to install the connection which could be risk and endanger the lives of the occupant.

OP further added that there are pending enforcement dues of as many as 15 cases on the applied premises.

3. The counsel of the complainant filed rejoinder, refuting therein the contentions of the respondent as averred in their reply and stated that the complainant is living the subject premises since 1986 alongwith family till date. Already a connection was energized vide CA No. 151601067 which was disconnected in August 2019 on account of non-payment of dues. There are many more connections in the area which OP has recently released. He also submitted that he has settled all enforcement dues in PLA.

4. Since it is 66 KV line, same is owned by BSES and not by DTL. Thus BSES was directed to file the horizontal and vertical distance from the HT line to the premises of the complainant.

*[Handwritten signatures]*

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5. The site visit report submitted by OP states that HT line passing through over the building. Horizontal distance is zero from applied premises.
6. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.

Respondent and on this ground itself rejected the request quoting the letter no. F-11(17)/2014/Power/91 dated 18.01.17 from Govt. of NCT (Department of Power), New Delhi. The relevant portion is as under:-

*"Connection under high tension lines: As per CEA Regulations 2010 there is a right of way for the HT lines under various voltage levels. No construction is allowed under these HT lines as per the right of way specified in the said CEA Regulation."*

7. Provision for electrical safety and installation has been provided in Chapter 2, Regulation 5 of DERC (Supply code and performance standards) Regulations 2017, which is as under:-

5. Safety of electrical installations:-

- (1) The Licensee and the consumer shall, in every respect, comply with the provisions of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time.

CENTRAL ELECTRICITY AUTHORITY (MEASURES RELATING TO SAFETY AND ELECTRIC SUPPLY) REGULATIONS, 2010, Regulation 61 deals with clearance from the buildings of lines of voltage exceeding 650V:

*[Handwritten signatures]*

*[Handwritten signature]*

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(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 exceeding 650 V passes above or adjacent to any building or part of the building it shall have on the basis of maximum sag a vertical clearance above the highest part of the building immediately under such line, of not less than:-

- |   |                            |
|---|----------------------------|
| (i) For lines of voltages exceeding 650 Volts | 3.7 meters                 |
| Upto and including 33,000 volts               |                            |
| (ii) For lines of voltages exceeding 33 KV    | 3.7 meters plus            |
|   | 0.30 meter for ever        |
|   | additional 33,000 volts or |
|   | part thereof.              |

(3) The horizontal clearance between the nearest conductor and any part of such building shall, on the basis of maximum deflection due to wind pressure be not less than:-

- |  |                               |
|--|-------------------------------|
| (i) For lines of voltages exceeding 650 Volts  | 1.2 meters                    |
| Upto and including 11,000 volts                |                               |
| (ii) For lines of voltages exceeding 11, 000 V | 2.0 meters                    |
| And upto and including 33, 000 V               |                               |
| (iii) for lines of voltages exceeding 33 KV    | 2.0 meters plus 0.3           |
| meter for                                      |                               |
|  | every additional 33,000 volts |
|  | or part thereof.              |

8. This line is 66 KV which is exceeding 650 V as per above provisions vertical distance from the premises should be more than 3.7 meters which is 4 meter approx. Whereas horizontal distance should be 2.3 meter for 66 KV line as per above regulation but in the present case it is '0' meters.



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Therefore, rejection of complainant's application no. ONLNR1001240019 for new electric connection at US-19, Gali No. 1, Uttari School Block, Mandawali Fazalpur, Near Railway Puliya, Delhi-92 by OP BYPL is justified and based on safety and security.


ORDER

We are of considered opinion that since, there is not sufficient horizontal and vertical distance from the HT line, therefore, the connection cannot be granted to the complainant.


The case is disposed off as above.

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

  
(S.R. KHAN) 4/7/24  
MEMBER-TECH

  
(P K SINGH)  
CHAIRMAN

  
(P.K.AGRAWAL)  
MEMBER-LEGAL

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(H.S. SOHAL)  
MEMBER

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