



**C A No. Applied For**  
**Complaint No. 330/2025**

**In the matter of:**

Bimla Sharma .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member(Legal)
3. Mr. S.R. Khan, Member (Technical)

**Appearance:**

1. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Akshat Aggarwal, Mr. Shiven Mishra & Ms. Jyoti Sharma,  
On behalf of BYPL

**ORDER**

Date of Hearing: 27<sup>th</sup> November, 2025  
Date of Order: 04<sup>th</sup> December, 2025

**Order Pronounced By:- Mr. P.K. Singh, Chairman**

1. This complaint has been filed by Ms. Bimla Sharma, against BYPL-LNR.
2. The brief facts of the case giving rise to this grievance are that complainants applied for new connection vide request no. 8007766760 at premises no. S-7, school block, Shakarpur, Delhi-110092.

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It is further submitted that respondent rejected the applications for new connection of the complainant on the pretext of "improper pole clearance/pole encroachment."

3. The respondent in reply briefly stated that the complainant is seeking new electricity connection vide request no. 8007700760 at premises bearing no. S-7, Kh. No. 189, 2<sup>nd</sup> floor, School Block, Shakarpur, Delhi-110092. It is also submitted that the new connection application of the complainant was declined due to building is comprising of Ground floor, first floor, second floor and third floors and BYPL pole found encroached.

Reply further submitted that already existing BYPL pole found encroached/touching the extended Chajja on the public gali which is a serious safety issue. It is also submitted that the electricity meter no. 11894077 installed against CA no. 151545541 in the name of Anurag Sharma at first floor of the premises was installed on 25.07.2015.

Reply also stated that grant of new electricity connection is direct violation of application DERC Regulations 2017.

4. The complainant in rejoinder submitted that new electricity connection on second floor was applied by the complainant on property bearing no. S-7, Kh. No. 189, School Block, Shakarpur, Delhi, however same was rejected on grounds of pole encroachment. The pole which OP is claiming to be encroached upon is approx 10 meters away from the flat of the complainant which is on second floor. OP already has released a connection on the first floor on the subject premises whose balcony is attaching with the electricity pole.

 

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5. Heard both the parties and perused the record.
6. DERC Regulation 11 (2)(iv)(c) of DERC Supply Code 2017, states  
(iv) The Licensee shall not sanction the load, if upon inspection, the Licensee finds that;  
c. the energisation would be in violation of any provision of the Act, Electricity Rules, Regulations or any other requirement, if so specified or prescribed by the Commission or Authority under any of their Regulations or Orders.

To sum up OP alleges that there is violation of Regulation 11 (2)(iv)(c) of DERC (supply Code and Performance Standards) Regulation 2017, hence, connection cannot be granted. As per this Regulation Licensee/OP not sanction the load, if upon inspection, the licensee finds that there the energization would be in violation of any provision of the act, Rules, Regulations or any other requirements if so specified or prescribed by the commission or Authority under any of their Regulations or order.

To determine as to the alleged violation of Act, Rules, etc, we have to consider the notice issued under regulation 63 of Central Electricity Authority (measures relating to safety and electric supply) Regulations 2023.

Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2023 is as follows:

 



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**63. 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 any building or part of a 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 V - 3.7 metre;  
and upto and including 33 KV

(ii) for lines of voltages exceeding 33 Kv - 3.7 metre plus  
0.30 metre  
KV for every additional 33  
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 V - 1.2 metre;  
and upto and including 11 KV

(ii) for lines of voltages exceeding 11 KV  
And upto and including 33 KV - 2.0 metre;

(iii) for lines of voltages exceeding 33 KV - 2.0 metre plus 0.3  
metre for every additional 33 KV  
or part thereof.

(4) For high voltage direct current systems, the vertical and horizontal clearances, on the basis of maximum deflection due to wind pressure, from buildings shall be maintained as below;

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Sl. No.	High Voltage direct current	Vertical Clearance (metre)	Horizontal Clearance (metre)
1	100KV	4.6	2.9
2	200 KV	5.8	4.1
3	300 KV	7.0	5.3
4	400 KV	7.9	6.2
5	500 KV	9.1	7.4
6	600 KV	10.3	8.6
7	800 KV	12.4	10.7

5) The vertical and horizontal clearances shall be as measured as illustrated in Schedule VIII C

Explanation: - For the purposes of this regulation, the expression "building" shall be deemed to include any structure, whether permanent or temporary.

**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, 2023, as amended from time to time.

 

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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.

7. Therefore, as per the provision, the complainant has encroached the pole therefore he is not entitled for new connection on this ground. According to the regulations the required distance from the building of the pole is 1.2 meters.

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8. From the perusal of the photograph placed on record by the complainant along with rejoinder, it is evident that the pole is at a distance from the premises in question. Thus the factual position is pole is not totally encroached but the distance is less than 1.2 meters from the building where new connection has been applied for. Also, the complainant has applied for new connection on the second floor and the floor of the complainant is at distance from the pole and since the wire is insulated wire and even if the distance between the building and the pole is less there is no dispute regarding the fact that the supply of electricity is totally insulated wire. In our opinion connection can be given to the complainant.
9. Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.

OP is hereby directed to grant the application of the complainant for electricity connections in the applied premises.

ORDER

Complaint is allowed. Respondent is directed to release the new connection as applied for by the complainant vide request no. 8007700760 at premises no. S-7, Kh. No. 189, 2<sup>nd</sup> floor, School Block, Shakarpur, Delhi-110092, after completion of all the commercial formalities as per DERC Regulations 2017.

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This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

*on leave*  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

*4/12/25*  
(S.R. KHAN)  
MEMBER (TECH.)

*4/12/25*  
(P.K. SINGH)  
CHAIRMAN

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*[Signature]*  
Secretary  
CGRF (BYPL)