



# 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

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SECY/CHN 015/08NKS

C A No. Applied For  
Complaint No. 372/2023

**In the matter of:**

Raj Rani .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad 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. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

## ORDER

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

Date of Order: 09<sup>th</sup> January, 2024

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

1. This complaint has been filed by Smt. Raj Rani, against BYPL-KRN.

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2. The brief facts of the case giving rise to this grievance are that complainant Smt. Raj Rani is using electricity through CA no. 152841837. She placed on record on accessibility notice issued to her by respondent stating that there is **violation of the minimum clearance of electrical lines/installations from building structures/balconies/verandas/chajjas etc.** She also submitted Notarized GPA dated 15.10.1986 of the property no. G/49, Jagat Puri Extension, Delhi-110051 where above mentioned connection is installed and further stated that they have not constructed the building and it is same as it was in the year 1986. Therefore, OP should be directed to withdraw their notice for disconnection of electricity supply.

3. The respondent in reply briefly stated that the complainant is seeking quashing of accessibility notice dated 03.05.2023 which was served to the registered consumer of CA No. 152841837. The said electricity connection is registered in the name of Sh. Prem Chand for property no. G-61, Jagat Puri, Krishna Nagar, Delhi. The present complainant is wife of the registered consumer and hence has no locus standi to file the present complaint.

At the time of site inspection it was found that due to extension of premises by way of unauthorized construction, the distance between the pole and the premise has narrowed down as a consequence now the pole is touching the extended chhajja which is unsafe and against the Central Electricity Act 2010.

OP also quoted Regulation 60 & 61 of Central Electricity Authority (Measures relating to Safety and electric Supply) Regulations 2010.

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OP further added that there is unauthorized construction in the premise of the complainant and as a consequence the pole is tilted and touching extended chajja. Pole is very old and installed for last 25 years.

4. Counsel of the complainant in its rejoinder rebutted the contentions of the respondent as averred in their reply and stated that the complainant has not raised any unauthorized construction and the building is old constructed and already eight electricity meters are installed in it.
5. OP stated that as per Regulation 60 & 61 of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations 2010 clearly stipulates the following minimum horizontal and vertical clearance mandatorily required to be maintained from the electricity mains/installations for any building/structures, balconies/verandas/roof/chajjas where an extra High Voltage/High Voltage or Medium/low voltage line passes above or adjacent to such building or part of a building to avoid any electrical accident. They have issued the complainant notice under this section.
6. Arguments of both the parties were heard at length.
7. OP has given legal accessibility notice under the provision of Central Electricity Regulatory Authority, Regulations 2010, Sub-Regulation 63(2)(iv) based on objection of department that complainant has extended the premises by way of unauthorized construction. The distance between the pole and premises has narrowed down as a consequence the pole is touching the extended chajja.

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*[Signature]*

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Regulation 60 & 61 says:-

60. Clearance from building 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 650V 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, verandah roof and lean-to-roof -

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

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

(ii) for pitched roof-

(a) When the line passes above the building a vertical clearance of 2.5 meters immediately under the line, and

(b) When the line passes adjacent to the building a horizontal clearance of 1.2 meters.

(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.

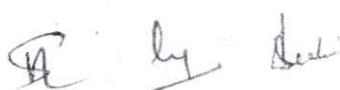
(4) The horizontal clearance shall be measured when the line is at maximum deflection from the vertical due to wind pressure.

(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.

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61 Clearances from buildings of lines of voltage exceeding 650V : (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:-

Provisions for electrical safety in the DERC Regulations are 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.

8. Therefore, OP has rightly given the legal notice for the violation of law to the complainant. Complainant should respond the notice. At this stage, this complaint is premature and is not maintainable in this Forum.

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ORDER

The complaint is rejected. OP as per Regulation 63(2)(iv) of Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations 2010 has issued the complainant Accessibility notice, since the complainant failed to maintain the prescribed distance from the pole and has made encroachment that too without intimating OP.

The case is ~~dismissed~~ off as above.

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

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CGRF (BYPL)

(S.R. KHAN)  
MEMBER-TECH

(P K SINGH)  
CHAIRMAN

(P.K.AGRAWAL)  
MEMBER-LEGAL

(NISHAT AHMAD ALVI)  
MEMBER-CRM

(H.S. SOHAL)  
MEMBER