



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-11003

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SECY/CHN 015/08NK

C A No. Applied For Complaint No. 350/2023

In the matter of:

SabinaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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. Ms. Sabina, Complainant alongwith her counsel
2. Mr. R.S. Bisht, Ms. Shweta Chaudhary & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 18th January, 2024

Date of Order: 23rd January, 2024

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

1. The brief facts of the case giving rise to this grievance are that complainant Ms. Sabina has applied for new electricity connection at premises no. A-453(778), GF, Block No. A, Kh. No. 265, Gali No. 13, Shri Ram Colony, Rajeev Nagar, Delhi-110094, vide application no. 8006441636. The application of consumer was rejected by Opposite Party (OP) BYPL on the pretext that premises where new connection is applied is under HT line.

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CGRF (BYPL)

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2. The respondent in reply briefly stated that new electricity connection has been applied by the complainant vide request no. 8006441636 at House No. A-453(778), Block no. A, Kh. No. 265, Gali no. 13, Shri Ram Colony, Rajeev Nagar, Delhi-110094. OP further submitted that the building structure consist ground floor only. On site inspection it was found that premises are under RIGHT OF WAY OF H.T. LINE of 220 KV of DTL, and the distance from the HT line is approx 1 meter.

OP further added that Dy. Secretary (Dept. of Power) vide its letter dated 18.01.2017 has clarified that DISCOMS cannot provide electricity connections under HT lines as, as per CEA Regulations 2010, there is a right of way for the HT lines under various voltage level. Accordingly, since the issuance of the said letter the DISCOMS are not issuing electricity connection under HT lines. It was also mentioned that 220 KV HT lines pertains to DTL and only DTL can ascertain the clearance of the connection as per CEA Regulations.

Regulation 61 of Central Electricity Authority (Measures relating to safety & Electric Supply) Regulations 2010, provides for distance both vertical and horizontal to be maintained from the highest/nearest point of the building. Further, complainant has not complied with the Regulation 63 as no intimation prior to carrying out the construction was ever given to the respondent.

3. DTL was issued notice for providing Horizontal and Vertical distances.
4. Heard both the parties and perused the record.

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5. The issue is whether the connection of the complainant vide application number 8006441636 can be released, if there is improper clearance from HT line?
6. DTL vide its report dated 08.01.2024, clearly stated that the horizontal clearance of the structure from perpendicular to the bottom phase conductor is < 1 (less than 1 meter) and do not meet safety clearances as specified by CEA safety Regulations. Vertical clearance of premises from bottom phase conductor is > 10 meter approx. Distance of premises with respect to adjacent tower is 15 meter approx.
7. 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."

8. 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.

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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:

(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 every 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:-

(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.

9. This line is 220 KV which is exceeding 650 V as per above provisions vertical distance from the premises should be more than 3.7 meters which is 10 meter approx for 220 KV line. Whereas horizontal distance should be 3.69 meter for 220 KV line as per above regulation.

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The joint inspection was conducted by team of DTL & BYPL on 05.01.2024; its report is on record which shows the concerned premises of complainant Sabina, falls under DTL's 220 KV Mandola-South of Wazirabad overhead transmission line (circuit-I).

Horizontal clearance is less than 1 meter

Vertical clearance is 10 meters approx

Therefore it is very much clear that horizontal clearance is not as per norms mentioned in Regulation 61 of CEA.

Therefore, rejection of complainant's application no. 8006441636 for new electric connection at A A-453(778), Block no. A, Kh. No. 265, Gali no. 13, Shri Ram Colony, Rajeev Nagar, Delhi-110094 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 EHV 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)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL

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CGRF (BYPL)


(H.S. SOHAL)
MEMBER