

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

Phone: 32978140 Fax: 2238488

E-mail:cgrfbypl@hotmail.com

SECY/CHN 015/08N1

C A No. Applied For Complaint No. 161/2022

In the matter of:

Sanjeev GuptaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mohd Afsar, A.R. of the complainant
2. Mr. Imran Siddiqi, Ms. Ritu Gupta, Ms. Seema Rawat, Ms. Shweta Chaudhary & Mr. Shubham Singh, On behalf of BYPL

ORDER

Date of Hearing: 18th October, 2022

Date of Order: 19th October, 2022

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

The complaint has been filed by Mr. Sanjeev Gupta against BSES YPL-LNR.

The brief facts of the case giving rise to this grievance are that the complainant is residing at 3/127, Gali no. 3, Lalita Park, Laxmi Nagar, Delhi-110092 and

Complaint No. 161/2022

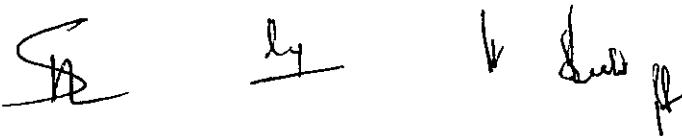
applied for new electricity connection vide application no. 8005776001, 8005776006, 8005776011, 80057760180, 8005776024, 8005776092, 8005776061 & 8005776062 but OP rejected his applications for new connection on pretext of building right under the way of HT line.

The respondent in reply briefly stated that the complainant applied for new electricity connection at the premises no. H.No. 3/127, Gali No. 3, Lalita Park, Laxmi Nagar, Delhi-110092 for domestic purpose vide request numbers 8005776001, 8005776006, 8005776011, 80057760180, 8005776024, 8005776092, 8005776061 & 8005776062. OP further submitted that in respect of the same premises earlier also one complaint was filed before the forum bearing C.G. No. 20/2022 titled as Vijay Gogia which was disposed on 22.04.2022, wherein Forum held as under:-

We are of considered opinion that as per DTL report dated 10.03.2022 the premises is just below the 220 KV EHV line passing over the roof of the said establishment. Therefore, there is not sufficient horizontal and vertical distance from the EHV line, therefore, the connection cannot be granted to the complainant.

As such in terms of Regulation 13 of DERG (Forum for Redressal of Grievances of the Consumers and Ombudsman) Regulations, 2018, this learned Forum has no jurisdiction to try and adjudicate the present matter. OP also submitted that as premises where fresh electricity connection are sought are under HT line as such deficiency letters were issued wherein it was specifically mentioned the horizontal distance from HT line was 0 meters.

It was also their submission 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

A row of handwritten signatures and initials, including 'SP', 'by', and '2 of 5'.

Complaint No. 161/2022

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.

DTL vide their letter no. F.DTL/206/2022-23/Mgr (T) O&M E2/F-1/CGRF/ dated 10.10.2022 submitted that "the establishment bearing address 3/127 gali no.3, Lalita Park, Laxmi Nagar, Delhi-92 in the name of Sh. Vijay Gogia (22/2022) and Sanjeev Gupta (C.G. No. 161/2022) is situated just below the 220 KV EHV Geeta Colony - Patparganj Circuit-II line passing over the roof of said establishment therefore, horizontal clearance is not applicable since the said establishment lies below the above referred EHV line".

"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."

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.

Complaint No. 161/2022

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:

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 8.2 meter for 220 KV line. Whereas horizontal distance should be 3.69 meter for 220 KV line as per above regulation.

Inspection was conducted by team of DTL on 10.10.2022; its report is on record which shows the concerned premises of complainant Sanjeev Gupta, falls under DTL's 220 KV EHV Geeta Colony - Patparganj Circuit-II

Horizontal clearance is 0 meters

Vertical clearance is more than 8 meters

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 applications no. 8005776001, 8005776006, 8005776011, 80057760180, 8005776024, 8005776092, 8005776061 & 8005776062 for new electric connections at H.No. 3/127, Gali No. 3, Lalita Park, Laxmi Nagar, Delhi-110092 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.

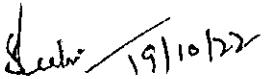
The case is disposed off as above..

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


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(VIJAY SINGH)
MEMBER