



C A No. Applied for
Complaint No. 314/2024

In the matter of:

Sunita Devi

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Ms. Sunita Devi, The complainant
2. Mr. Akash Swami, Mr. Akshat Aggarwal & Ms. Chhavi Rani, on behalf of respondent

ORDER

Date of Hearing: 26th September, 2024

Date of Order: 08th October, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for three new electricity connections at premises no. H. No. -6, Ground Floor, Kh. No. 419, Anuvrat Vihar, Kaushal Puri, Near SM Public School Delhi-110094, vide requests no. 8006967990. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of premises with inadequate/unsafe clearance from HT/LT Lines.

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CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by complainant vide request no. 8006967990 at ground floor of H. No. -6, Kh. No. 419, Anuvrat Vihar, Kaushal Puri, Near SM Public School Delhi-110094. On inspection it was found that the premises in issue is under HT Line, a deficiency letter was issued to the complainant on 27.05.2024 duly intimating the complainant that "Premises is under HT Line, right of way of H.T. Line" (Horizontal distance from HT line conductor is 1.90 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 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 HT lines pertains to DTL and only DTL can ascertain the clearance of the connection as per CEA Regulations.

Respondent along with their reply also submitted site inspection report submitting therein

1. Height of the building is approximately 5.90 meters,
2. Approx horizontal distance from nearest conductor is 1.90 meter
3. Approx vertical distance from roof of the premises is $12.50 - 5.90 = 6.60$ meter.

Respondent further added that it is a 220 KV line.

3. Complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the distance is according to Regulation 10 of CEA Regulations 2010.
4. Heard arguments of both the parties were heard at length.

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5. The issue is whether the connection of the complainant vide application number 8006967990 can be released, if there is improper clearance from HT Line?
6. From the narration of facts and material placed before us we find that the premises where the electricity connection has been requested by the complainant is in the right of way width of 220 KV (EHV) Transmission line of DTL as submitted by the respondent and on this ground itself the respondent 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. There is no provision in the Act, CEA Regulations and DERC Regulations, which prohibits release of electricity connection in houses and permanent structures near or close to EHV line if electrical safety clearances as specified in Regulations 58, 60 and 61 of CEA electrical safety regulations 2010 are available for that particular construction. Regulations 61 of CEA 2010, is as under:-

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.





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(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. |

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.

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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.

The, under the line condition and line passing adjacent to the building sketch has also been shown on schedule X for the Rule 61 of CEA Regulations, which indicates that if any portion of a building/construction lies between the vertical space between the spread width of the outermost conductors (along with swings due to wind pressure), then the Building/construction is said to be under the line. In the present case the building/construction is under the line and the line is passing/adjacent to the building, as per details submitted by the respondent. The details submitted by the respondent are as under:-

- i) Height of the conductor from ground 12.50 meters approx
- ii) Height of the building- 5.90 meters approx
- iii) Horizontal distance between line and building- 6.60 meters (the line is neither adjacent to the building nor the building is under the line as per diagram of Schedule XA for Rule 61, CEA Safety Regulations.

Thus, there is clear violation of Regulations 58, 60 and 61 of the CEA electrical Safety Regulations 2010.

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

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

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


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH

(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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