C G R F
B Y P L

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
E-mail:cgrfbypl@hotmail.com
SECY/CHN 015/08/NKS

C A No. Applied For
Complaint No. 23/2024

In the matter of:

Subhash Chander .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

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. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER
Date of Hearing: 02nd July, 2024
Date of Order: 04th July, 2024

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The present complaint has been filed by Mr. Subhash Chander against BYPL-Laxmi Nagar. The brief facts of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. 8005527877 at premises no. US-19, Ground Floor, Gali No. 1, Uttri School Block, Mandawali Fazalpur, near Puliya, Delhi-110092, but respondent rejected the application of

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the complainant for new connection on the pretext of "same site enforcement dues".

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking fresh electricity connection for the ground floor of premises bearing no. US-19, Gali No. 1, Uttari School Block, Mandawali Fazalpur, Near Railway Puliya, Delhi-92. The complainant applied for new connections vide application no. 8006756082. OP further submitted that the son of the complainant i.e. Sh. Arun Kumar has also applied for new connection for the first floor of the same property vide request no. 8006756082. On site verification it was found that premises consist of ground plus first floor is under RIGHT OF WAY OF H.T. LINE of 66 KVA. As the premises is under HT line as such O&M department inspected the premises and observed that vertical distance from the HT line is approximately 1.2 meters from the top portion of the said building and as such rejected the Technical feasibility.

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. The counsel of the complainant filed rejoinder, refuting therein the contentions of the respondent as averred in their reply and stated that the complainant is living the subject premises since 1986 alongwith family till date. Already a connection was energized vide CA No. 151601067 which was disconnected in August 2019 on account of non-payment of dues. There are many more connections in the area which OP has recently released. He also submitted that he has settled all enforcement dues in PLA.

4. Since it is 66 KV line, same is owned by BSES and not by DTL. Thus BSES was directed to file the horizontal and vertical distance from the HT line to the premises of the complainant.

5. The site visit report submitted by OP states that HT line passing through over the building. Horizontal distance is zero from applied premises.

6. 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."

7. 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.

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:-

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(i) For lines of voltages exceeding 650 Volts Upto and including 33,000 volts	3.7 meters
(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 Upto and including 11,000 volts	1.2 meters
(ii) For lines of voltages exceeding 11, 000 V And upto and including 33, 000 V	2.0 meters
(iii) for lines of voltages exceeding 33 KV	2.0 meters plus 0.3 meter for every additional 33,000 volts or part thereof.

8. This line is 66 KV which is exceeding 650 V as per above provisions vertical distance from the premises should be more than 3.7 meters which is 4 meter approx. Whereas horizontal distance should be 2.3 meter for 66 KV line as per above regulation but in the present case it is '0' meters.

Therefore, rejection of complainant's application no. 8003527877 for new electric connection at US-19, Gali No. 1, Uttari School Block, Mandawali Fazalpur, Near Railway Puliya, Delhi-92 by OP BYPL is justified and based on safety and security.

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ORDER

We are of considered opinion that since, there is not sufficient horizontal and vertical distance from the HT 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

(H.S. SOHAL)
MEMBER