

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/01508NKS

C A No. Applied For
Complaint No. 236/2022

In the matter of:

Ashok KumarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Soban Singh Rawat, Counsel of the complainant along with complainant
2. Ms. Ritu Gutpa, Mr. Prateek Pahwa, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 14th March, 2023
Date of Order: 17th March, 2023

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

1. This complaint has been filed by Sh. Ashok Kumar, against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Sh. Ashok Kumar has applied for new electricity connection at GF, Kh. No. 57, H.No. 31, Gali No. 1/2. Kaushal Patti, Chauhan Patti,

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Secretary
CGRF (BYPL)



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Delhi-94, vide application no. 8005976563. 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.

3. The respondent in reply briefly stated that new electricity connection has been applied by Ashok Kumar vide request no. 8005976563 on dated 19.10.2022 at House No. 31, GF, Kh.No. 57, Gali No. ½, Kaushanl Puri, Chauhan Patti, Delhi-94. On site inspection it was found that premises is under RIGHT OF WAY OF H.T. LINE, (Horizontal distance = 2.20 meter approx, vertical distance = 16.40 meter, applied building height is 5.50 meter, net vertical distance = $16.40 - 5.50 = 10.90$ meter, hence, new electricity connection is not possible.

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.

By *[Signature]*

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4. DTL was issued notice for providing Horizontal and Vertical distances and DTL vide their letter no. F.DTL/206/22-23/Mgr(T) O&M (E-4)/TR-794/218 dated 09.02.2023 submitted that the site of the complainant was visited along with BYPL and it was found that address of Mr. Ashok Kumar, GF, Kh. No. 57, House no. 31, Gali No. ½, Kaushal Puri, Chauhan Patti, Delhi-110094 falls under DTL's 220 KV double circuit Mandola -South of Wazirabad overhead transmission line (circuit-1). Horizontal clearance of the structure from perpendicular to the bottom phase conductor is approx. 1.80 meters. And vertical clearance of premises from bottom phase conductor is more than 5 meters.
5. Heard both the parties and perused the record.
6. The issue is whether the connection of the complainant vide application number 8005976563 can be released, if there is improper clearance from HT line?
7. The complainant has argued that he has applied for new connection vide application no. 8005976563 at GF, Kh No. 57, H.No. 31, Gali no. ½, Kushal Puri, Chauhan Patti, Delhi-94 which was rejected by OP-BYPL on the ground that premises are RIGHT OF WAY OF H.T. LINE. He also contested that respondent has already issued many connections in his area. He also submitted photographs from his premises to HT line.
8. Legal Representative of the BYPL has argued on basis of evidence available on record. Respondent submitted that distance clearance between HT line and applied premise is approx 2.20 meter, therefore, electricity connection to complainant cannot be given in view of Safety

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Regulations in 79 & 80 of Electricity Rules 1956 and Rule 60 of Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2010.

9. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.

10. 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."

11. 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:

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(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:-

- | | |
|--|-------------------------------|
| (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. |

12. 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 5.3 meter 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 07.02.2023, its report is on record which shows the concerned premises of complainant Ashok Kumar, falls under DTL's 220 KV double circuit Mandola-South of Wazirabad overhead transmission line (circuit-II).

Horizontal clearance is approx 1.80 meters

Vertical clearance is less than 5 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 application no. 8005610721 for new electric connection at GF, Kh. No. 319, 419 & 126, H.No. 9, Main Road, Anuvrat Vihar, Delhi-110094 by OP BYPL is justified and based on safety and security.


ORDER:-


Complaint is rejected. 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.


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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