

C A No. Applied For
Complaint No. 170/2022

In the matter of:

ShivamComplainant

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. Neeraj Kumar, Counsel of the complainant
2. Mr. Imran Siddiqi & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 06th December, 2022
Date of Order: 08th December, 2022

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

The complaint has been filed by Mr. Shivam against BSES YPL-KWN.

The brief facts of the case giving rise to this grievance are that the complainant is residing at 27, LHS-28, Kh.no. 50, Gali no. 1, Ambey Colony, Chauhan Patti, Near Sunil Property Dealer, Near LHS 28, Delhi-110094 and applied for new electricity connection vide request number 8005757809 dated 19.06.2022 but respondent rejected his application for new connection on pretext of "premises under HT line and incomplete wiring".

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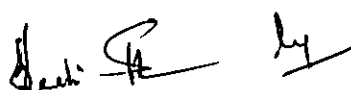
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The respondent in reply briefly stated that the complainant applied for new electricity connection at the premises H.No. 27, GF, Kh. No. 50, Gali no. 4, Ambey Colony, Chauhan Patti, Near Shiv Mandir, Delhi-94 vide request no. 8005757809. OP further submitted that during site visit it was found that premises is under RIGHT OF WAY OF H.T. Line as such deficiency letter was issued, wherein the complainant was duly intimated that "premises is under right of way of HT line (Horizontal line = 2.20 meter, vertical distance = 13.95 meter, applied building height is 7.35 meter, net vertical distance = 13.95 - 7.35 = 6.60 meter, hence, new electricity connection is not feasible.

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 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 E-4/TR-794/26 dated 17.05.2022 in the matter of Babli, vide CG No. 79/2022 of the same address submitted that "the establishment bearing address as Ms. Babli, GF, Kh. No. 50, H.No. 27, Gali no. 4, Ambey Enclave, Chauhan Patti, Near Shiv Mandir, Delhi-110094, exactly falls near DTL's 220 KV double circuit Mandola - South of Wazirabad overhead transmission line (circuit- II). Horizontal clearance of the premises from the perpendicular of bottom phase conductor is 1.80 meter.

Vertical clearance from top structure of premises to bottom phase conductor is approx 7.50 meter. Location of premises with respect to adjacent tower 120 meter approx.



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“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.

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 ever |
| | additional 33,000 volts or |
| | part thereof. |





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(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
meter for | 2.0 meters plus 0.3
every additional 33,000 volts
or part thereof. |

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.

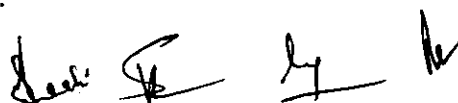
Inspection was conducted by team of DTL on 19.09.2022; its report is on record which shows the concerned premises of complainant Siyawati, falls under DTL's 220 KV double circuit Mandola-South of Wazirabad overhead transmission line (circuit III & IV) and do not meet safety clearance as per CEA safety regulations.

Horizontal clearance is 1.80 meters

Vertical clearance is 7.50 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. 8005757809 for new electric connections at premise no. H.No. 27, GF, Kh. No. 50, Gali no. 4, Ambey Colony, Chauhan Patti, Near Shiv Mandir, Delhi-94 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 EHV line, therefore, the connection cannot be granted to the complainant.

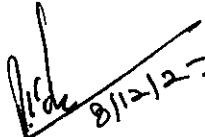
The case is disposed off as above.

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