

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

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SECY/CHN/015/08NKS

CA No. Applied For
Complaint No. 180/2022

In the matter of:

Zamila BegumComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Feroz Khan, Son of the complainant
2. Mr. Imran Siddiqi, Mr. Deepak Jain, Ms. Shweta Chaudhary and Mr. Shubham Singh, On behalf of BYPL

ORDER

Date of Hearing: 20th October, 2022

Date of Order: 21st October, 2022

Order Pronounced By:- Mr. Nishat Ahmed Alvi, Member (CRM)

1. This complaint has been filed by Smt. Zamila Begum, against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Smt. Zamila Begum, has applied for new electricity connection at premises no. A-56, A block, Gali No. 21, Shri Ram colony, Rajeev Nagar application no. 8005626572. The application of consumer

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was rejected by Opposite Party (OP) BYPL on the pretext that premises where new connection is applied have inadequate/unsafe clearance from HT/LT lines as per clause no. 58,59,60 & 61 of CEA Measures relating to safety and electric supply Regulations 2010 & clause no. 5 of DERC supply code.

3. The respondent in reply briefly stated that new electricity connection has been applied by Zamila Begum vide request no. 8005626572 at House No. A-56-1/A Block, Cali No. 21A, Delhi-110094. On site inspection it was found that premises is under RIGHT OF WAY OF H.T. LINE, (Horizontal distance = 4.05 meter approx, vertical distance = 18.40 meter, applied building height is 6.20 meter, net vertical distance = $18.40 - 6.20 = 12.20$ meter, hence, new electricity connection is not possible.

OP 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.

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.

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4. DTL was issued notices twice for providing Horizontal and Vertical distances but Forum received no reply from their side.
5. Heard both the parties and perused the record.
6. The issue is whether the connection of the complainant vide application number 8005626572 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. 8005626572 at A-56-1/A block, Gali No. 21A, Delhi-110094 which was rejected by OP-BYPL on the ground that premises are RIGHT OF WAY OF H.T. LINE. She also contested that respondent has already issued many connections in his area.
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 4.05 meter, therefore, electricity connection to complainant cannot be given in view of Safety 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:-

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"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:

(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 | 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. |

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 not under the line and the line is not passing/adjacent to the building, as per details submitted by the respondent. The details submitted by the respondent are as under:-

- i) Horizontal distance 4.05 meters approx
- ii) Vertical distance 18.40 meters approx
- iii) Building height 6.20 meters approx
- iv) Net vertical distance $10.40 - 6.20 = 12.20$ meters approx

As per these specifications given by respondent itself, we find that minimum distance required as per Central Electricity Authority, Electrical Safety Regulations 2010. Form the EHV line for grant of electricity connection to the complainant is available on vertical and horizontal sides of the building the connection is sought in. Therefore, we find no violation of Regulations 58, 60 & 61 of the CEA electrical safety Regulations 2010. Hence, we are of the considered view that objection of respondent for grant of connection on this ground is baseless.

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ORDER:-

Complaint is allowed. The respondent is directed to release the new connection to the complainant. However, keeping in view the swing and maximum sag conditions, the complainant is directed to observe necessary caution and restrict entry to the area on the roof towards the EHV line particularly during strong wind/storm conditions. The complainant is required to submit undertakings as under:

- i) That he shall not extend the present building structure without prior permission from BYPL/DTL. Jointly signed sketch of the premises, mentioning the present clearances shall also be part of the agreement for release of this connection.
- ii) That whenever there is any amendment in Electrical Safety Rules particularly ROW width and her house/building is found infringing any rule regarding electrical safety, the electricity connection shall be disconnected.
- iii) The respondent is directed to release the connection after completing all necessary commercial formalities and submission of affidavits/undertakings as mentioned in the order.

The case is disposed off as above.


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

Proceedings closed.


(S.R. KHAN)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(VIJAY SINGH)
MEMBER