



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 01/08NKS

**C A No. Applied For**  
**Complaint No. 202/2022**

In the matter of:

Lokesh Kumar .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member(Legal)
3. Mr. S.R. Khan, Member (Technical)

**Appearance:**

1. Mr. Lokesh Gupta, Complainant
2. Mr. Imran Siddiqi, Ms. Ritu Gupta, Ms. Shweta Chaudhary, Mr. Gagan Sharma, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

**ORDER**

Date of Hearing: 15<sup>th</sup> December, 2022

Date of Order: 26<sup>th</sup> December, 2022

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

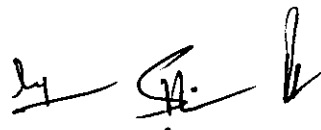
1. This complaint has been filed by Sh. Lokesh Kumar, against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Sh. Lokesh Kumar he is owner of plot no. 39, Gali no. 29/2

*By SA*

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C-3, Harsh Vihar and the said plot is lying vacant. There is a pole of electricity touching the wall of his premises. He requested the respondent to shift the pole from the current location as it is life threatening but respondent has not paid any heed to his complaint. Thus, he requested for direction to the OP for immediate shifting of pole and he is ready to bear the cost of shifting.

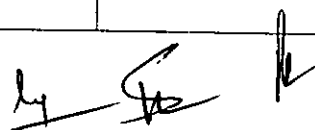
3. The respondent in reply briefly stated that the pole cannot be sifted as complainant failed to provide any land for shifting yet the defendant company through its Divisoin ESO alongwith CES department & Div-O&M inspected the site on 29.09.2022 and carried out technical feasibility and observed that shifting is technically not feasible and safe. Shifting of pole will disturb the alignment of pole. In any case pole is shifted towards road it will be in the middle of the road/path which will be safety hazard for passengers and nearby residents.
4. Heard both the parties and perused the record.
5. The issue is whether the electric pole in front of house of the complainant can be shifted or not.
6. The Authorized Representative of the complainant has argued that he purchased property no. Kh. No. 18/14/1, Harsh Vihar, Mandoli, Delhi-93, through notarized GPA on dated 26.08.2021. He further stated that now he wants to do construction on his plot but the pole is creating hindrance, therefore, he requested for shifting of pole.



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7. Legal Representative of the BYPL has argued on basis of evidence available on record. Pole Shifting cannot be done 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.
8. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.
9. Provision of the Rule 79 & 80 of Electricity Rules 1956 is as follows:

S. No.	Lines/installations	Minimum vertical clearance where line is passing above a building/structure/balcony etc.	Minimum Horizontal clearance where line is passing adjacent to a building/structure/balcony etc.
1.	Low or medium voltage lines and service lines upto 650 v	2.5. meters from the highest point	1.2 meter from the nearest point
2.	High Voltage line upto and including 11,000 volt	3.7. meters from the highest point	1.2 meter from the nearest point
3.	High Voltage line above 11,000 volt and upto and including 33000 volt	3.7. meters from the highest point	1.2 meter from the nearest point
4.	Extra High Voltage line above 33000 volts	3.7. meters from the highest point (Plus 0.30 meter for every additional 33000 volts or part thereof)	2 meters (Plus 0.30 meter, for every additional 33000 volt or part thereof.



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10. Central Electricity Authority (Measures relating to safety and electric supply) Regulations 2010 is as follows:

60. Clearance from buildings of lines of voltage and service lines not exceeding 650 Volts.-

(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 not exceeding 650 V passes above or adjacent to or terminates on any building, the following minimum clearances from any accessible point, on the basis of maximum sag, shall be observed, namely:-

(i) for any flat roof, open balcony, varandah roof and lean-to-roof-

- (a) when the line passes above the building a vertical clearance of 2.5 metres from the highest point, and

- (b) when the line passes adjacent to the building a horizontal clearance of 1.2 metres from the nearest point, and

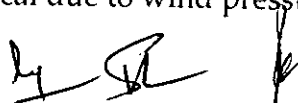
(ii) for pitched roof-

- (a) when the line passes above the -building a vertical clearance of 2.5 metres immediately under the line, and

- (b) when the line passes adjacent to the building a horizontal clearance of 1.2 metres.

(3) Any conductor so situated as to have a clearance less than that specified above shall be adequately insulated and shall be attached at suitable intervals to a bare earthed bearer wire having a breaking strength of not less than 350 kg.

(4) The horizontal clearance shall be measured when the line is at a maximum deflection from the vertical due to wind pressure.



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5) Vertical and horizontal clearances shall be as specified in schedule-X.  
Explanation: - For the purpose of this regulation, the expression "building" shall be deemed to include any structure, whether permanent or temporary.

11. The factual position of the case, as apparent from the pictures and documents placed on record, the distance of premises from concerned electricity pole is not 1.2 meter as required by the above mentioned law. The pole is adjacent to building also there is transformer installed on the pole in question. OP further submitted that shifting of pole is not feasible as it will create hindrance for the local residents of the area.

12. We are of the view that it is not feasible to shift the pole from its place as per prevailing rules and regulations stated above. Therefore, the complainant is advised to be careful while constructing his plot and should leave ample distance between the pole and his premise.

ORDER

Complaint is rejected. OP has rightly rejected the application of the complainant for pole shifting.

The case is disposed off as above.

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



(P.K. AGRAWAL)  
MEMBER (LEGAL)



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



(P.K. SINGH)  
CHAIRMAN