



C A No. Applied For
Complaint No. 25/2021

In the matter of:

SurajComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (LAW)
3. Dr. Harshali Singh, Member (CRM)

Appearance:

1. Mr. Suraj, complainant
2. Mr. Imran Siddqi and Mr. Kuldeep Kumar, On behalf of BYPL

ORDER

Date of Hearing: 25th March, 2021
Date of Order: 25th March, 2021

Order Pronounced By:- Mr. Arun P Singh (Chairman)

Briefly stated facts of this case are that the complainant sought grant of new connection but the respondent company rejected his application for new connection.

It is his submission that he is residing at G-5/28, Kh.No. 113, G-5 block, Sonia vihar, Delhi-110094 and applied for new connection in his name vide application no. 8004750374, but the respondent company rejected his application for new connection on the pretext of "Right of

Harshali Singh

Imran Siddqi

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Way of H.T. Line." Therefore, he requested the Forum to direct the respondent company for immediate release of the new connection.

Notices were issued to complainant, respondent and DTL to appear before the Forum on 12.03.2021.

Respondent company submitted their reply stating therein that complainant applied for new electricity connection at the premises no. G-5/28, Kh.No. 113, G-5 Block, Sonia Vihar, Delhi-94 for domestic purpose vide request no. 8004750374 dated 25.01.2021.

On inspection it was found that the premises in issue is under HT Line, a deficiency letter was issued to the complainant on 02.02.2021 duly intimating the complainant that "Premises is under HT Line, right of way of H.T. Line."

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.

The complainant thereafter approached respondent office and insisted that he be provided electricity connections as others were also provided electricity connection inspite of the fact that their premises were under HT line. It was also mentioned by respondent that HT lines pertains to DTL and only DTL can ascertain the clearance of the connection.

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The matter was heard on 12.03.2021, when complainant was present in person. Notice has already been issued to DTL on 26.02.2021 regarding horizontal and vertical distance measurement. Secretary of the Forum was directed to issue a reminder letter to DTL regarding filing the measurements before next date of hearing. Respondent is directed to file a fresh site report in respect of measurements.

Respondent vide their mail dated 24.03.2021, submitted site inspection report submitting therein

1. Height of the building is approximately 6.10 meters,
2. Approx horizontal distance from nearest conductor is 1.50 meter
3. Approx vertical distance from roof of the premises is $12.73 - 6.10 = 6.63$ meter.

Respondent further added that it is a 220 KV line. Premise is dividing distance between two EHT pole in the ratio of $1/3^{\text{rd}}$ and $2/3^{\text{rd}}$ of distance.

We have gone through the submissions made by both the parties and heard their arguments. From the narration of facts and material placed before us we find that the premises where the electricity connection has been requested by the complainant is in the right of way width of 220 KV (EHV) Transmission line of DTL as submitted by the respondent and on this ground itself the respondent 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."

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As per classification of the voltages by CEA-the 220KV voltage is classified under Extra High Voltage (EHV) and the building is not under the line as per explanation given at Schedule X for Rule 61 of CEA Safety Regulations. Also in the agenda point no. 4 for the 4th meeting of CEA standing committee on electrical safety, in January 2019, states as under:-

"In this regard, it may be stated that CEA Electrical Safety Regulations, 2010, with its present amendments does not cover/indicate the ROW requirements for transmission lines. Neither has it showed any relation of ROW with the electric safety clearance specified in Regulation 58, 60 and 61 of CEA Electrical Safety Regulations, 2010. Due to this, problem is being faced by the Transmission/Distribution licensees in prohibiting people from construction of permanent structures below or close to the EHV or HV electric corridors."

In a similar matter (complaint No. 73/2019), of Sunita Kumari, a letter was written to the Assistant Electrical Inspector, for safety clearances from 220 KV transmission lines, for their opinion/comments.

The Electrical Inspector, vide letter no. ED.4(01)/EI/2020/57 dated 31.01.2020 specify that "the present matter does not come under purview of Regulation 63 of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations, 2010. However, the minimum vertical and horizontal clearances of the lines are to be maintained in accordance with the provisions under Regulation 61 of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations, 2010. Further, the measurement of vertical and horizontal clearances of lines shall be as specified in Schedule X of the said Regulations."

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There is no provision in the Act, CEA Regulations and DERC Regulations, which prohibits release of electricity connection in houses and permanent structures near or close to EHV line if electrical safety clearances as specified in Regulations 58, 60 and 61 of CEA electrical safety regulations 2010 are available for that particular construction. Regulations 61 of CEA 2010, is as under:-

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

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Provisions for electrical safety in the DERC Regulations are 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.

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) Height of the conductor from ground 12.73 meters approx
- ii) Height of the building- 6.10 meters approx
- iii) Horizontal distance between line and building- 1.5 meters (the line is neither adjacent to the building nor the building is under the line as per diagram of Schedule XA for Rule 61, CEA Safety Regulations.

Thus, there is no violation of Regulations 58, 60 and 61 of the CEA electrical Safety Regulations 2010. However, the complainant is required to submit undertaking as below:-

- i) That she 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.

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- 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.


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN

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Attested True Copy

Secretary
CGRF (BYPL)

RELIANCE

Fw: new case of suraj cg no 25/21

Imran Siddiqi to: cgrfbypl, Bhagat Ram, Sunil K Verma
Cc: Jagatheesh Kannan, Rohit J Sharma, Shweta.Chaudhary,
Kuldeep B Kumar

03/24/2021 02:06 PM

Sir,

Please find enclosed site visit report in above matter, It is inform you that it is a 220KV line. Premises is dividing distance between two EHT pole in the ratio of 1/3rd and 2/3rd of distance.



Site Visit Report.pdf

With Regards

Imran Siddiqi
Legal Cell

*Type of - 1 meter
Reason as suspension
Approach/staircase
Status ?*

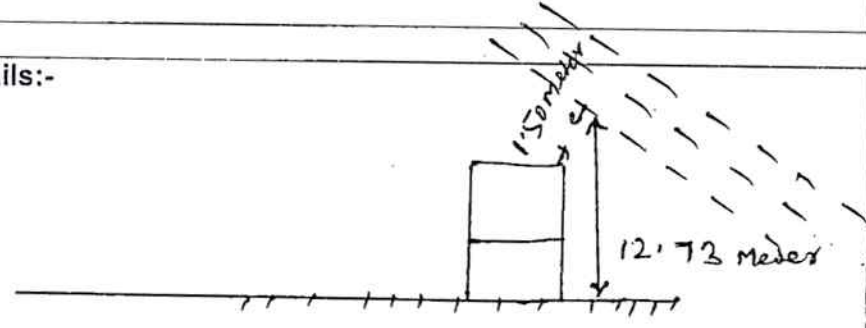
----- Forwarded by Imran Siddiqi/REL/RelianceADA on 24/03/2021 02:04 PM -----

Format for Revisit

Application No.	8024750374	Usage Category at Site	DX	Applied Load	1-KW
Consumer Name	SURAJ				
Address	G/S / 28 G/F KHNO-113 - G/S BLOCK 5 Pusta SONIA VIHAR				
Date of Revisit	01/03/2021				
Plot Size	35 sq	Building Structure	G+First		

Reason of Revisit: - Measurement of Building height, Horizontal and vertical distance from EHT conductor to Premise

Site Map & Existing meter details:-





Conclusion of Revisit: Approx Building Height = 6.10 meter
 Approx Horizontal distance from Nearest Conductor = 1.50 meter
 Approx vertical distance From roof of the Premise = $12.73 - 6.10 = 6.63$ meter

Signature & mobile no. of applicant

Revisit done by:- BEERPAL SINGH [FE]
 EMP-ID - 17214

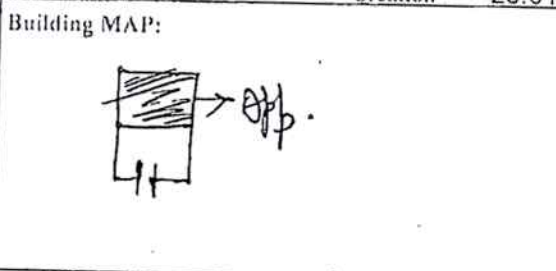
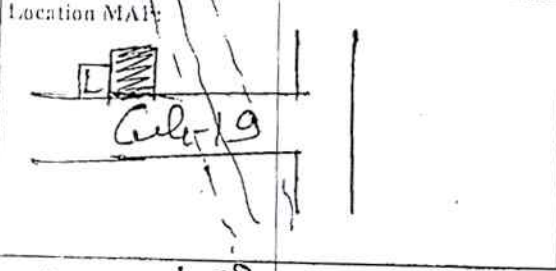
Kuldeep Kumar
 Sr. Manager (PS) KWN
 Emp. No. 41016003
 BSES Yamuna Power Ltd.


 (Signature & stamp of TF Executive)


 (Signature & stamp of AMPS)

Inspection Report (For New Connection), Source of Request: Call Center

Request No: 8004750374 DIV: ENKWR B.P.: 908375183 Engineer's Name: HITENDER SINGH
 Applicant Name: Mr. SURAJ... Category: Domestic General
 Father's Name: S/O SH BHAGWAN DEEN Load: 1.00 KW Load(KVA): 1.00 KVA
 Applied Address: G-5/28 G/F KH NO-113 G-5 BLK 5-PUSTA SONIA VIHAR, DELHI 110 90 Contact No: 9654756183
 Visit Date: 25.01.2021 Time: 14:25:00 Doc Received: YES
 Creation: 25.01.2021



- Existing Meters/Details:
- 1)
 - 2)
 - 3)
 - 4)
 - 5)
 - 6)
 - 7)

Applied Load: 1.00 KW / 1.00 KVA Pole No. KWR-928 / Feeder pillar No. 2
 Connected Load: 0.7 KW (Appx) Service line length 25m Cable type 2x10mm
 Usage category at site: DP Near by K.No. Near by Meter No. 350S63971

Building Details: Building Structure: BH less than 15 m.
 A. Building Height: < 5m > 15m without S.P. < 17.5m with S.P. > 17.5m with S.P.
 Fire/BCC Certificate of Building/Promises if Building > 15m 7.10mm. Yes () No ()
 Improper clearance or encroachment Yes No
 Area Electrified: LVDS/HVDS/Unelectrified. Status: 1 of 30
 Cable Laying Required: O/H. UG ELCB: ___ A, Make: ___
 Applied Premises Details: Floor: 4th Portion: Rear Front Side Left Right
 Area of Plot 3559 Area of each floor/flat: ___ Applied Portion Area 3559
 B. Total Assessed Load / Normative Load: ___ KW, No. of Connection expected: ___
 C. Plot Status: Vacant Construction in Progress New Building Yes No; Built-up Area ___
 If RCP Req: Yes No; Proposed Through: Digging Trench less; Wiring Complete: Yes No
 Length of soil soil ___ m Length of bituminous ___ m
 Width of Bit. / Carpet Main Road Cutting Req: ___ m Carpet Portion: ___ m
 Length of semi-bituminous ___ m, Length of concrete road ___ m

Additional Remarks:
 ① NO Plaster.
 ② Premises Near to H.T. Line.
 Distance - 1.50m.
 ③ 7IF Repeat

Lift status of building
 Lift under installation Lift installed, no separate electric connection found for lift
 Only concrete provision exist Lift Certificate Required: Yes / No; Lift in working
 Affidavit Required: Yes/No

T/F: Seal No. JY-756576 Pasted on proposed Metering position: Yes / No
 Adequate Space for Meter: Yes / No
 New size of Cable: Length ___
 Locality Type: DDA CGHS (i) Panel: Yes / No (ii) Open Air i.e. Meter Box reqd.: Yes / No
 Govt. JJ Cluster Other
 Existing Bus Bar: Type 10 30 30 Way/Not Existing
 Req. Replacement: Yes/No Type 10 30 30 Type 2way 4Way 8Way 16Way

List of K No's details of dues found at initial feasibility: Attached in dues sheet
 A. Is applicant Beneficiary? YES/NO Relation ___
 If Yes, CRN: ___
 B. Does applicant need to pay Pro-Rata? YES/NO (3) (4) (5) % share of dues recoverable: ___ %
 C. If there is any Theft booked on the applied premises. YES/NO (Beneficiary)
 If Yes, DT Bill Details
 1) ___ (2) ___ (3) HITENDER SINGH (4) 17 (5) ___
(Mother)
 D. Any dispute/court case: ___
 Any other relevant information: FIELD ASSOCIATE

Prepared/Signed, Documents/application handed over to consumer with request to submit complete documents at nearest Customer Care Center.
 Efficiency letter served.
 Consumer's Sign: Besant Name & E. No. of Engr: [Signature] Date & Time of visit: 01/02/21

CF DUES FOUND PLZ PRINT ATTACHMENTS