

“No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene.”

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 08.02.2022

Complainant : Sh.Hari Sharan Sharma - Present.

Respondent : Addl.Chief Secretary (Power),
Govt. of NCT of Delhi.

Ms. Payal Mahajan
Nodal Officer, BSES Yamuna Power Ltd,
Sh.Beerbal Meena,
A.M., BSES Yamuna Power Ltd – Present.

Grievance No. : PGC/2021/A.II/Power/36

1. Brief facts of the case.

1.1 Shri Hari Sharan Sharma has filed a grievance petition before Public Grievances Commission aggrieved by non-removal/shifting of electricity pole existing midway at his Property No.21/14, Gali No.15, West Ghonda, Delhi by BSES Yamuna Power Limited. It is further stated that the old pole is posing a serious threat and inconvenience to the nearby residents and commuters.

2. Facts emerged during the proceedings

2.1 Ms. Payal Mahajan, Nodal Officer, BSES Yamuna Power Ltd filed an action taken report. As per the report “*The complainant, Sh. Hari Sharan Sharma is asking for shifting of pole bearing No.B-851 which is installed in front of his house bearing No.K-21/14, Gali No.15, West Ghonda, Delhi-110053.*

On the request of complainant an estimate of shifting of the pole was given vide letter dated 07.11.2016. However, the complainant failed

to deposit the requisite amount and as such the said request of the complainant stood cancelled automatically.

The consumer again somewhere in the year 2019 requested for shifting of the same pole. As such on or around 23.07.2019, the premises were again visited and it was observed as under:-

- a) The proposal was to shift the pole almost 2.5 m to the left side, when seen from road.*
- b) The existing pole is of a low height and is under the consumer's balcony. Thus, if the pole was shifted and new pole was installed then it would have touched the consumer's balcony.*
- c) Thus, the proposal was cleared considering network, but owing to safety issues, proposal was ruled out.*

On receipt of the representation of the complainant the premises were re-inspected on or around 04.03.2021 wherein it was observed as under:-

- a) The proposal is to shift the pole (B851), 1.75 m to the left when seen from the road.*
- b) The pole span to be left is more than to the right.*
- c) The sag of cable needs to be corrected.*
- d) The poles are at less height than usual, possibly owing to road re-carpeting.*
- e) Thus, pole can be shifted as proposed in same alignment after demolishing the chajja/extended portion to maintain horizontal clearance.*

As such based on afore detailed two reports, complainant was advised to demolish chajja to maintain requisite distance as per the safety norms failing which it is not possible to approve the shifting of the pole.

Regarding approval of shifting of pole in the year 2016, it is not clear from the file as to what was the height of the pole which is now sought to be shifted.

In any case, shifting of the pole can be as per the law and not otherwise. Admittedly, the pole sought to be shifted is a pole of mid height which in any case as per law and CEA rules and regulations is required to be replaced with pole of proper height as per the safety norms.

Thus, even if there is no shifting then also in order to maintain the requisite distance of the cables passing through the pole and the ground if it is necessary that the pole be replaced with a pole of proper height under which circumstance it will be necessary for complainant to demolish the chajja failing which the requisite horizontal distance of 1.2 meter cannot be maintained as is required under the law. As such, in terms of CEA regulations the complainant was served with accessibility notice dated 12.01.22 in respect of two electricity connections existing at site i.e.CA No.101329131 and 152600045.

That complainant has not placed on record building completion certificate to demonstrate that he has not indulged in any illegal construction. Apparently, the chajjas are extended chajjas and are required to be demolished as per the law.”

2.2 The complainant states that the existing electricity pole is outside the balcony and does not touch the balcony. The complainant is ready to bear the cost of shifting of the electricity pole. He further contended that if the safety norms are involved, why the estimates for shifting of pole were given earlier. He requested for a slight shifting of the electricity pole which is installed in front of his house.

2.3 With regard to absence of the representative of BSES Yamua Power Limited in the hearing held on 17.01.2022, it is stated that the respondent department was informed/conveyed to submit/furnish their Action Taken Report only in respect of the said hearing due to increase in COVID-19 cases. The same was received. However, due to some miscommunication, it was inadvertently mentioned in the order dated 17.01.2022 that the representative of the respondent department was not present. Hence, the remarks mentioned in Para 2.1 of the said order regarding non-presence of the representative of BSES YPL be ignored.

3. Directions of the PGC:

3.1 From the above, the Commission observe that the BSES Yamuna Power Limited is reluctant to shift the electricity pole, as requested by the complainant, in view of the CEA rules and regulations and due to safety norms.

3.3 In view of the above, the case stands disposed of. The complainant, if he so wishes, may approach any other appropriate forum for redressal of his grievances.

(MRS. MADHU SHARAN)
MEMBER(PGC)

PGC/2021/A.II/Power/36

Dated:

1. Addl.Chief Secretary (Power), Deptt.of Power, GNCT of Delhi, 8th Floor, B-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
2. The Head Customer Care, BSES Yamuna Power Limited, Corporate Annexe, 1st Floor, CBD-III, Unity One Mall, Karkardooma, New Delhi-110092.

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3. Shri Hari Sharan Sharma