

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 118 OF 2025

In the Matter of Shifting of Transformer along with its electrical lines

Virbhadra Sagun Sawant Appellant
(Cons. No. 235820006931)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Kudal..... Respondent
(MSEDCL)

Appearances:

Appellant : 1) Virbhadra Sawant
2) Vaibhav Sawant

Respondent : 1) Arvind Vanmore, Executive Engineer, Kudal
2) Vishal Hatragi, Dy. Executive Engineer, Dodamarg S/dn.


Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 29th January 2026

Date of Order : 25th February 2026

ORDER


This Representation was filed on 16th December 2025 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the order dated 18th November 2025 in Case No. 01 of 2025 passed by the Consumer Grievance Redressal Forum, Sindhudurg (the Forum). The Forum by its order rejected the grievance application of the Appellant in view of Regulation 7.9 (b) of CGRF Regulations 2020. The Appellant was advised that the consumer has the liberty to approach and put forth his demands before the Electrical Inspector, GoM under Section 161 of the Electricity Act, 2003.


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2. Aggrieved by the order of the Forum, the Appellant has filed this Representation. An e-hearing was held on 29th January 2026 through video conference where both the parties were heard at length. The Appellant's submissions and arguments are stated as below: *[The Electricity Ombudsman's observations are recorded under 'Notes'.]*


- (i) The Appellant is a residential consumer bearing Consumer No. 235820006931 at House No. 517, Post: Sateli Bhedshi, Taluka Sawantwadi, Dist: Sindhudurg. The Appellant is also the lawful and recorded owner of Survey/Plot No. 65/4 situated at Sateli Bhedshi since 1995. The Respondent, MSEDCL, had installed a pole mounted distribution transformer on double poles with high-tension and low tension lines on the Appellant's private property. The said installation was carried out without obtaining written consent of the landowner, without payment of compensation, and without issuance of any statutory notification or acquisition proceedings. The transformer and associated lines presently run along three sides of the Appellant's residential structure at a very short distance, thereby preventing both horizontal and vertical expansion of the house, obstructing repair and maintenance activities, and substantially diminishing the use and enjoyment of the land and trees planted thereon.
- (ii) The grievance of the Appellant is limited and specific, namely the relocation of the transformer and associated switchgear from his private property to a suitable public place, particularly the adjoining public road. It is pertinent that a public road adjacent to the Appellant's plot already carries an electric line, indicating that the infrastructure could have easily been accommodated on public land rather than encumbering private property. The continued occupation of the Appellant's land despite the availability of alternative public space is arbitrary, unreasonable, and unjustified.
- (iii) Originally, the Appellant belongs to a Tilar Water Dam Badhit family. The Appellant purchased 16 gunthas of land, out of which one guntha has effectively been rendered unusable due to installation of the pole-mounted Distribution


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Transformer Centre. Thus, a substantial portion of the limited holding of the Appellant stands occupied without authority of law.

- (iv) The Appellant has written to various authorities seeking shifting of the transformer centre. Representations were addressed to the Hon'ble Energy Minister on 16.11.2018; to the Executive Engineer, MSEDCL, on 30.11.2018 and 04.01.2021; to the Hon'ble Deputy Chief Minister, Government of Maharashtra, on 03.08.2023; and to the Palak Minister on 27.09.2024. Despite these repeated representations, no proper or effective action has been taken by the Respondent.
- (v) The Appellant submitted an RTI application to the Respondent's Deputy Executive Engineer's office on 15.04.2023 seeking ownership documents of the pole-mounted Distribution Transformer Centre situated at Survey No. 65/4 and copies of any receipts evidencing rent payment. However, the Respondent, by its letter dated 15.06.2023, informed that no documents or information were available as the location was old. No installation approval, no land acquisition document, and no safety clearance certificate have been produced. Instead, the Respondent has merely insisted upon procedural applications for shifting, thereby attempting to shift the burden onto the landowner. The Appellant has never opted for nor applied under any DDF (Dedicated Distribution Facility) or DPDC (District Planning and Development Committee) scheme.
- (vi) There have been repeated incidents of electrical sparking every few months, some resulting in small fires affecting nearby structures, agricultural land, and trees. These incidents have been reported to field personnel of MSEDCL, including the latest occurrence on 1 October 2025 reported to the concerned lineman, yet no permanent remedial action has been undertaken. The unpredictability of such incidents causes constant anxiety and fear of electrocution and fire, particularly during monsoons and storms when the risk of electrical faults increases.
- (vii) The installation is more than four decades old, and no documented preventive maintenance or safety audit has been provided. With the passage of time, insulation degrades and fittings corrode, thereby increasing the likelihood of electrical failure. The Respondent is required to maintain proper documentation and periodic


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inspection records, but has failed to prove compliance with any such statutory obligations.


- (viii) The Appellant filed a grievance application before the Forum on 16.09.2025 seeking complete documentary proof of lawful installation including certified safety audit report, and removal and relocation of the transformer and associated poles from Survey/Plot No. 65/4 to a suitable public location at the entire cost of the Respondent. However, the Forum rejected the grievance application. The Forum failed to appreciate the basic issue that the Respondent installed the transformer center without any permission of the landowner, and that shifting of such equipment is the statutory duty of the Respondent and not the obligation of the Appellant.
- (ix) There is clear legal violation of Section 67 of the Electricity Act, 2003, Rule 3 of the Works of Licensees Rules, 2006 requiring consent of the landowner, and Article 300A of the Constitution of India which protects against deprivation of property without authority of law.
- (x) In view of the above facts and circumstances, the Appellant prays that the Respondent be directed to remove and relocate the pole-mounted transformer and associated electric lines from Survey/Plot No. 65/4 to a suitable public location at the entire cost of the Respondent within a time-bound schedule, and further to conduct a comprehensive safety audit of the electric installation and place the report on record.

3. The Respondent's submissions and arguments are stated as below:

- (i) The Appellant is a residential consumer since 11.09.1996. The particulars of his electricity connection are provided in Table No. 1 as below:

Table 1:


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Appellant	Consumer No.	Address	Date of Supply	Activity
Virbhadra Sagun Sawant	235820006931	House No. 517, Post: Sateli Bhedshi; Tal. Sawantwadi Dist.: Sindhudurg	11.09.1996	Residential


- (ii) The Appellant resides at the said premises and has developed various trees around his house. He claims to be the lawful owner of Plot No. 65/4 situated at Sateli Bhedshi, which he states to have purchased in the year 1995 from a private land owner.

Preliminary Submissions:

- (iii) At the outset, it is submitted that the present grievance is not maintainable under the definition of “Grievance” as provided under the CGRF & EO Regulations, 2020. The complaint does not pertain to supply, billing, or service of electricity to the Appellant, but relates to the shifting of an existing pole-mounted Distribution Transformer and associated HT and LT lines. Such a request for relocation of infrastructure does not fall within the scope of a “Grievance” as defined under the said Regulations.

Submissions on Merit:


- (iv) On merits, it is submitted that there exists a pole-mounted Distribution Transformer Centre of 63 KVA capacity bearing DTC No. 4188099, named “Bhedshi Torale Bharad,” situated at the corner of the alleged plot of the Appellant. The said transformer along with the associated HT and LT lines has been in existence since about 1973. The Appellant admittedly purchased the plot in 1995, much after the installation of the said infrastructure. The Respondent has placed on record a list of 79 consumers, generated from the IT Section, who are being supplied electricity from the said transformer. The oldest consumer dates back to approximately 1973, clearly establishing that the infrastructure existed much prior to the Appellant’s purchase of the plot and prior to the grant of his electricity connection on 11.09.1996. Thus, there is a time gap of nearly 39 years between the creation of the infrastructure and the filing of the grievance before the Forum on 18.09.2025.
- (v) The HT line is situated at a distance of approximately 16 meters from the main entrance of the Appellant’s house. The LT line is at a distance of about 18 meters from the main


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entrance, approximately 22 meters from the rear side of the house, and about 14 meters from the Appellant's patra shed. These distances clearly demonstrate that the existing infrastructure is located well away from the residential structure.

- (vi) As per the prescribed safety norms relating to horizontal clearances from buildings, the minimum horizontal distance from any part of a building is required to be not less than 1.2 meters. The vertical clearance above the roof must be at least 2.0 meters, and a minimum horizontal clearance of 1.2 meters must be maintained from any balcony or projection. In respect of LT lines (230/415 Volt), the minimum horizontal clearance from any building is 1.2 meters and the vertical clearance above the roof is required to be 2.5 meters, with at least 1.2 meters from balconies or projections. These are minimum statutory clearances, and no construction is permissible within such prescribed limits. In the present case, the Appellant's premises are situated at distances far exceeding the minimum required clearances. Hence, the Appellant's house is at a safe distance from the existing MSEDCL infrastructure, both horizontally and vertically.
- (vii) The Respondent Licensee is carrying out periodic maintenance of the said DT Centre "Bhedshi Torale Bharad" and the associated HT and LT lines as per prescribed norms. Such maintenance includes cutting of tree branches near HT and LT lines, topping up transformer oil, tightening of connections, and other preventive safety measures. All necessary efforts are undertaken to ensure safety and uninterrupted supply. It is submitted that the Appellant has been reluctant to cooperate in permitting cutting of trees situated near the HT and LT lines within his plot. A minor incident had occurred in June 2025 when tree branches came in contact with the LT line; however, the same was immediately controlled. The Respondent has requested permission to trim trees near the lines to maintain safety, but the Appellant has not extended cooperation. The Respondent is duty bound to provide continuous and reliable supply in accordance with statutory safety norms. In matters concerning technical safety, the Electrical Inspector of Govt. of Maharashtra is the competent authority to inspect the site, and annual inspections of the sub-division are conducted as per routine practice.


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- (viii) If the Appellant desires shifting of the DP structure, transformer centre, and LT line, the entire cost of such shifting is required to be borne by him, subject to availability and identification of suitable alternate land for erection of the said infrastructure.
- (ix) In view of the foregoing submissions, the present representation is not maintainable under the definition of “grievance” as per the CGRF & EO Regulations, 2020. Therefore, the representation filed by the Appellant deserves to be rejected.


Analysis and Ruling

4. Heard the parties and perused the documents on record. The Appellant, a residential consumer bearing Consumer No. 235820006931 at House No. 517, Sateli Bhedshi, Taluka Sawantwadi, District Sindhudurg, and recorded owner of Survey/Plot No. 65/4 since 1995, has sought removal and relocation of a pole-mounted Distribution Transformer and associated HT and LT lines allegedly situated on his property. The Appellant contends that the installation was carried out without his consent and without acquisition proceedings, and that the infrastructure restricts use and enjoyment of his land. He has further alleged safety concerns and violation of statutory provisions.

5. The Respondent has placed on record that the 63 KVA Distribution Transformer Centre bearing DTC No. 4188099, known as “Bhedshi Torale Bharad,” along with the HT and LT lines, has been in existence since about 1973, much prior to the Appellant’s purchase of the plot in 1995 and prior to release of his electricity connection in 1996. It is further submitted that 79 consumers are being supplied from the said transformer. The Respondent has also demonstrated that the distance of the HT and LT lines from the Appellant’s residential structure is substantially more than the minimum statutory clearances prescribed under applicable safety regulations. Periodic maintenance is stated to be carried out, and in case of shifting, the cost is required to be borne by the applicant as per prevailing rules.

6. Upon consideration of the record, it is observed that the transformer and allied lines are long-standing public utility infrastructure catering to multiple consumers and were installed decades prior to the Appellant’s acquisition of the property. The material placed on record


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indicates that the existing clearances from the residential structure exceed the prescribed minimum safety norms. The Appellant has not produced any conclusive technical or statutory determination establishing immediate danger or violation of mandatory clearance provisions. The issue raised essentially pertains to relocation of an existing distribution asset, which ordinarily falls within the administrative and technical domain of the Licensee and is governed by applicable regulations regarding shifting of utilities.

7. The grievance of the Appellant is mainly for Shifting of Distribution Transformer and Associated Electrical Lines. Regulation 2.1(c) read with Regulation 2(e) of the CGRF & EO Regulations, 2020 defines

2.1 (e) : "Grievance" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance, which has been undertaken to be performed by a Distribution Licensee in pursuance of a licence, contract, agreement or under the Electricity Supply Code or in relation to Standards of Performance of Distribution Licensees as specified by the Commission and includes inter alia Grievances in respect of non-compliance of any Order of the Commission or any action to be taken in pursuance thereof, which are within the jurisdiction of the Forum or Electricity Ombudsman, as the case may be;

In the present case, the Appellant has not established any fault, imperfection, shortcoming or inadequacy in the quality or manner of performance of the Distribution Licensee in providing supply or services to his residential connection. The relief sought is relocation of an existing distribution asset, which does not fall within the scope of "grievance" as contemplated under the CGRF & EO Regulations, 2020. Hence, the complaint does not constitute a maintainable grievance under the said regulatory framework.

8. In the circumstances, this Authority finds no infirmity in the order of the Forum warranting interference. However, the Respondent is advised to ensure periodic safety inspection of the transformer center and associated lines, and to undertake necessary preventive



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maintenance in accordance with statutory norms. The Appellant has been non-co-operative for trimming of trees near the DT Center on his property, which can increase the risk of sparking or fire. He is advised to extend his cooperation to the Respondent in this regard.

9. The Representation is rejected and disposed of accordingly.

Sd/
(Vandana Krishna)
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