

Item No.6
19.08.2024
Court. No. 9
GB

W.P.A. 18985 of 2024

Purna Chandra Jana & Anr.

Vs.

The Chairman, West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Partha Sarathi Mondal

...for the Petitioner.

*Mr. Srijan Nayak,
Mrs. Rituparna Maitra*

...for the WBSEDCL.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The petitioners contend that a high tension line has been drawn by the side of a road, but the necessary safety and security measures had not been adopted. There were chances of accidents and health hazards. The high tension line was very close to the house of the petitioner.
3. Mr. Nayak, learned advocate for the WBSEDCL submits that high tension line has been drawn by the side of the road, upon adopting all safety and security measures. Mr. Nayak further submits that the distance between the petitioners' house and the high tension line is adequate and the regulations have been followed.
4. Having heard the learned advocates for the respective parties, this Court finds that the regulation with regard to safety and security measures in case of

drawal of high tension line binds the authority concerned. The provisions are quoted below:-

“62. Clearance from buildings of lines of voltage and service lines not exceeding 650 V. (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 metre from the highest point; and

(b) when the line passes adjacent to the building, a horizontal clearance of 1.2 metre from the nearest point;

(ii) for pitched roof, -

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

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

(3) Any conductor so situated as to have a clearance less than that specified in sub-regulation (2) shall be replaced with Aerial Bunched Cable and to be attached at suitable intervals to a bare earthed bearer wire having a breaking strength of not less than 350 kgf.

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

(5) The vertical and horizontal clearances shall be measured as per illustration provided in Schedule VIII C. Explanation. For the purposes of this regulation, the expression "building" shall be deemed to include any structure, whether permanent or temporary.

63. Clearances from buildings of lines of voltage exceeding 650 V. (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 a 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 V and up to and including 33 kV | 3.7 metre; |
| (ii) for lines of voltages exceeding 33 kV | 3.7 metre plus 0.30 metre for every additional 33 KV 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, -

- | | |
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| (i) for lines of voltages exceeding 650 V and up to and including 11 kV | 1.2 metre; |
| (ii) for lines of voltages exceeding 11 kV and up to and including 33 kV | 2.0 metre; |
| (iii) for lines of voltages exceeding 33 kV | 2.0 metre plus 0.3 metre for every additional 33 kV or part thereof. |

(4) For high voltage direct current systems, the vertical and horizontal clearances, on the basis of maximum deflection due to wind pressure, from buildings shall be maintained as below:

Sl. No.	High Voltage Direct Current	Vertical Clearance (metre)	Horizontal Clearance (metre)
1.	100 kV	4.6	2.9
2.	200 kV	5.8	4.1
3.	300 kV	7.0	5.3
4.	400 kV	7.9	6.2
5.	500 kV	9.1	7.4
6.	600 kV	10.3	8.6
7.	800 kV	12.4	10.7

(5) The vertical and horizontal clearances shall be as measured as illustrated in Schedule VIII C. **Explanation.** For the purposes of this regulation, the expression "building" shall be deemed to include any structure, whether permanent or temporary.”

5. Under such circumstances, the writ petition is disposed of directing the Station Manager, Kakdwip Customer Care Centre to treat the writ petition as a representation and pass an order thereby indicating whether the safety measures had been adopted or not and what was the exact distance between the petitioners’ premises and the high tension line. The approximate height of the high tension line from the roof level of the petitioner’s hut shall also be indicated. The intimation shall be given to the petitioner within a period of two months from the date of communication of this order.
6. Accordingly, the writ petition is disposed of.
7. However, there will be no order as to costs.
8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)