

THE STATE ELECTRICITY OMBUDSMAN  
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APPEAL PETITION NO. P/180/2015

(Present: V.V. Sathyarajan)

Dated: 19<sup>th</sup> April 2016

Appellant : Sri Chandransekharan Nair N  
Chandrodayam, Uchakada P.O.  
Thiruvananthapuram

Respondent : The Assistant Executive Engineer,  
Electrical Sub Division,  
Parasala, KSE Board Ltd,  
Thiruvananthapuram District.

**ORDER**

The appellant is one of the complainants in the OP No. 1511/2015 filed before Consumer Grievance Redressal Forum (South), Kottarakkara and also a domestic consumer under Electrical Section, Uchakada, Thiruvananthapuram. The complainants in the OP No. 1511/2015 are facing inconvenience due to an overhead electric line passing over their property. The agony and disturbance caused due to the crossing of the electric line over their properties was brought to the notice of the respondents by the appellant and five others and had requested for shifting the said 11 kV line (Pozhiyoor feeder). Accordingly steps were taken to shift the disputed electric line from the existing route and an estimate has been prepared for an amount of Rs. 1,15,015.00. In order to carry out the shifting of 11 kV line from the property to the road side, the existing 11 kV line (Uchakada feeder) drawn through the road is to be shifted to the other side of the road.

For carrying out this shifting work some trees are to be cut and removed, but some locals have raised objections against the tree cutting. The appellant and five others have agreed to pay the tree cutting compensation, but still the locals objected. In order to avoid the objections a revised estimate for Rs. 1,72,019.00 was prepared including insertion of A pole. The Assistant Executive Engineer, Electrical Sub Division, Parasala had approached the District Magistrate with a request for shifting the line as there is no feasible

alternate route for avoiding the property crossing. Accordingly the Additional District Magistrate had issued orders dated 28-10-2014 allowing to shift the electric line as proposed and to cut the trees or branches after giving tree cutting compensation to the concerned.

During this time, the Chairman, Neyyanttinkara Taluk Integrated Power Loom Village Industrial Co-operative society Ltd., Uchakada had also raised objection against proposed shifting of the overhead line. Accordingly the matter was again referred to Additional District Magistrate who issued orders dated 31-01-2015 allowing to shift the electric line as proposed after cut and removal of the trees or branches of Smt. Sunaja. Subsequently the respondent issued a letter for arranging cut and removal of trees/ branches of trees and to remit the estimated amount.

But the appellant approached the CGRF with a petition requesting to reduce the estimate amount and also to take appropriate action to cut and removal of the trees and to shift the line through a feasible route so as to avoid further inconvenience to the appellant. The Forum in a combined order dated 30-09-2015 in OP No.1511/2015, OP No.1540/2015 and OP No. 1547/2015 held that *“the respondent shall arrange the shifting work as per the direction of the Hon’ble Additional District Magistrate.”* Not satisfied with the above order, the appellant has filed this appeal petition before this Authority.

A hearing of the case was conducted in my chamber at Edappally, Kochi on 15-03-2016. Sri. N. Chandrasekharan Nair and Smt. Mary Help John Daizy were present for the appellant’s side and Sri. K.W. Sanal Kumar., Assistant Engineer, Electrical Section, Uchakada represented the respondent’s side. The brief facts and circumstances of the case that led to filing of the petition before this Authority are narrated above. On examining the petition of the appellant, the statement of facts filed by the respondent, the arguments in the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decisions.

The appellant has contended that the respondent has not taken proper action to implement the orders of CGRF and hence requested further orders from this Authority to shift the line as early as possible. At the same time, the respondent has stated that a review petition filed by few others against the order dated 30-01-2015 of Additional District Magistrate which is still pending for orders. The respondent also stated that Additional District Magistrate has posted a site inspection but a decision has not been taken.

Since the matter is still pending before the Additional District Magistrate, this Authority feels that it is not proper to intervene in the matter at this stage. In this background the respondent is directed to follow up the case and to take necessary steps for a speedy disposal of the case in accordance with the

directions obtained from the Additional District Magistrate. Having concluded and decided as above it is ordered accordingly. Order of CGRF in OP No. 1511/2015 is upheld. No order as to costs.

**ELECTRICITY OMBUDSMAN**

P/180/2015/\_\_\_\_\_ Dated:\_\_\_\_\_

Delivered to:

1. Sri Chandransekharan Nair N, Chandrodayam, Uchakada P.O., Thiruvananthapuram
2. The Assistant Executive Engineer, Electrical Sub Division, Parasala, KSE Board Ltd, Thiruvananthapuram District.

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, Vydhyuthibhavanam, KSE Board Ltd, Kottarakkara - 691 506.