

# VIDYUT OMBUDSMAN TELANGANA STATE

Present: R. Damodar  
Date: 21-04-2015  
Appeal No. VO-09 of 2015

Between

MD Shah Ali Naik,  
LIG-187, APHB Colony,  
Jadcherla, Mahaboobnagar District.

...Appellant / Complainant

AND

1. The AE/Operation, Mahaboobnagar (T-III), TSSPDCL, Mahaboobnagar District.
  2. The ADE/Operation, Mahaboobnagar (T), TSSPDCL, Mahaboobnagar District.
  3. The DE/Operation, Mahaboobnagar, TSSPDCL Mahaboobnagar District.
  4. The SE/Operation, Mahaboobnagar Circle, TSSPDCL, Mahaboobnagar District.
- .... Respondents

The above appeal filed on 31-03-2015 has come up for hearing before the Vidyut Ombudsman, Telangana State on 16-04-2015 at Hyderabad in the presence of Sri. Md Shah Ali Naik for the Appellant and (R I) Sri. M. Srinivas. AE/Operation/ (T-III), TSSPDCL, Mahaboobnagar District and (R.II) Sri.P.Srinivasachary ADE/ Operation, Mahaboobnagar, (T), TSSPDCL, Mahaboobnagar District. (R-III) Leela Prasad DE/Operation MBNR, TSSPDCL, Mahaboobnagar District for the respondents (R-IV) is absent. Both appearing parties are heard.

## AWARD

It is agreed by R1 to R3 and the complainant that the electric transformer (DTR) is intruding on one side of compound wall of the complainant by about one foot and the question is how to rectify this problem. The transformer appears to have been erected touching the vacant plot of the complainant about 2 years back. On a complaint, CGRF by orders dt-17-09-2014 passed orders to the following effect:-

*“The forum directs the respondents to shift the DTR to a safe location as intimated by the complainant and complete the work within 30 days on receipt of shifting charges”.*

2. An effort is made at mediation to solve the issue to no avail.
  
3. The Respondents claim that the DTR fencing was erected about 2 years back and at that time, there was no objection from the complainant and that now it is difficult to shift the DTR fencing because the street near the DTR fencing is very narrow. The complainant asserts that the DTR is intruding in to his plot and it has to be shifted or pushed for a foot towards the road.
  
4. It is clear that the DTR was erected intruding about one foot in to the plot of the complainant without his consent, This fact alone is sufficient to move DTR farther away. Further CGRF has rightly directed the respondents to take such a step save on the point of expenses, which is not taken so far. They have not even asked the appellant to remit the money for shifting DTR as a preliminary step.
  
5. To a question why orders of CGRF have not been implemented, the Respondents reported that the complainant has to pay the expenses for shifting the DTR and he has not remitted the amount. The Respondents further claimed that the Road is narrow at the site and when they tried to move DTR towards the Road side, the locality people pulled down the structure of DTR. One thing is clear in this case and that is the claimant cannot be burdened with expenses for shifting of DTR, as he is not responsible for erecting it. That way CGRF is not right in directing the complainant to bear the cost of shifting the DTR to another location.
  
6. The structure on which DTR Located is stated to be about 1' into the plot of the complainant. The respondents claim that the DTR needs a platform of 1' On each side and if 1' on the side of the complainant wall is removed, the structure may give-in. In the present matter, there are two ways to solve the issue. One is to remove 1' platform towards the wall of the complainant and strengthen the structure by innovation in construction, or fix the DTR on a pillar, which the respondents agree as alternatives. There is a third alternative. Choose another place to locate DTR, which the respondents claim is very difficult.

7. Under the circumstances, the respondents are directed to fix the DTR by eliminating 1(one foot) platform towards the compound wall of the complainant by innovation in construction or fix the DTR on a RCC pillar platform so as to eliminate the DTR touching the compound wall, without further delay, preferably within 30 days from the date of receipt of this Order.

Sd/-

**VIDYUT OMBUDSMAN**

Md Shah Ali Naik,  
LIG-187,APHB Colony,  
Jadcherla,Mahaboobnagar District

1. The AE/Operation,Mahaboobnagar (T-III),TSSPDCL,Mahaboobnagar District
2. The ADE/Operation, Mahaboobnagar (T) TSSPDCL,Mahaboobnagar District
3. The DE/Operation,Mahaboobnagar,TSSPDCL,Mahaboobnagar District
4. The SE/Operation,Nahaboobnagar Circle,TSSPDCL,Mahaboobnagar District

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- 1.The Chairperson,Consumer Grievance Redressal Forum-2(Rural)
- 2.The Secretary, TSERC, Hyderabad