



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: R. DAMODAR

Saturday, the Twenty Eighth Day of May 2016

Appeal No. 22 of 2016

Preferred against Order Dt. 24 -02-2016 of CGRF In

CG.No: 443/2015 of Warangal Circle

Between

Sri. D. Radha Krishna, S/o Bala Narsoji, Ramavaram Village, Kodakandla
Mandal, Mahabubabad - Division, Warangal Dist. Cell No. 9652098998.

... Appellant

AND

1. The AE/OP/Kodakandla/TSNPDCL/Warangal Dist.
2. The ADE/OP/Thorrur/TSNPDCL/Warangal Dist.
3. The DE/OP/Mahabubabad/TSNPDCL/Warangal Dist.

... Respondents

The above appeal filed on 26.03.2016, coming up for hearing before the Vidyut Ombudsman, Telangana State on 26.05.2016 at Hyderabad in the presence of Sri. D. Radha Krishna - Appellant and Sri.B. Bixapathi -DE/OP/Mahabubabad, Sri. N.V.Ramana Reddy - ADE/OP/Thorrur, Sri. M. Praveen - AAE/OP/Kodakandla for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has a mango garden in Ramavaram village of Warangal District. He alleged that one 11KV line is passing over his land touching about 20 mango trees when there is wind and that even during harvesting season, the workers get scared to pick the crop, fearing electric shock and danger to their lives. He requested the officials of the DISCOM several times to shift the 11KV line, without success and thereafter, lodged a complaint with CGRF.

2. During the hearing it has been observed that as per Clauses 5.4.1.4 and 5.3.4 of GTCS a person seeking shifting of 11 KV line should bear the cost of shifting under D.C. work. Therefore, the Appellant has been directed to deposit the money for shifting the 11KV line and on such deposit, the Respondents have been directed to carry out the work by following the Standards Of Performance, through the impugned orders.

3. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal stating that he is an ordinary farmer in no position to pay the estimated amount of Rs 1,35,000/- for shifting the 11KV line and that a direction may be given to the NPDCL to shift the 11KV line by incurring expenditure and that this facility would help other farmers also.

4. The 3rd Respondent/DEE/O/Mahabubabad submitted a report dt.20.4.2016 reiterating that the estimate has been prepared for shifting the 11KV line from the field of the Appellant for Rs 1,18,187/- as per Clause 5.4.1.4 and Clause 5.3.4 of GTCS and claimed that only after payment of the estimated amount, the shifting of line work will be taken up.

5. Efforts have been made for mediation, in which the DEE/OP/Mahabubabad submitted, on advice to choose alternative steps too, a proposal for increasing the height of 11KV line by erecting intermittent poles and estimated the cost of these steps at Rs 40,000/-. He explained his inability to shift the 11KV line from over the mango garden of the Appellant, stating that his staff resurveyed the work spot, found no ways to reduce the cost of the estimate, due to right of way problem and also objections raised by the neighbourhood farmers. He also pointed out the increase in cost of the materials and labour when compared to the previous estimated costs hinting at enhanced costs. He also stated that it is the Responsibility of the consumer to show the right of way, even after arrangement of payment, for executing the shifting work. On this aspect, the Appellant could not express his ability to arrange to show the right of way.

6. The alternative proposal suggested by the Respondent No.3 through letter dt.25.5.2016 that instead of shifting the line, the height of the line can be raised by erecting intermittent poles and this work could be completed by spending about Rs 40,000/- which would serve the purpose of the Appellant and without encountering any difficulty of right of way problem, is accepted by the Appellant, as the best alternative relief available, under the circumstances.

7. In view of the successful mediation between the parties, there shall be a direction to the Respondents to raise the height of the 11KV line by erecting intermittent poles in the mango garden of the Appellant, only on the Appellant depositing Rs 40,000/- as suggested by the 3rd Respondent. It is also to be noted that the 3rd Respondent stated that he would try to see that the work is completed even at below the estimated amount. The Appeal is disposed of accordingly.

Typed by CCO, Corrected, Signed and Pronounced by me on this the 28th day of May, 2016.

Sd/-

VIDYUT OMBUDSMAN

1. Sri. D. Radha Krishna, S/o Bala Narsoji, Ramavaram Village, Kodakandla Mandal, Mahabubabad - Division, Warangal Dist. Cell No. 965209898.
2. The AE/OP/Kodakandla/TSNPDCL/Warangal Dist.
3. The ADE/OP/Thorrur/TSNPDCL/Warangal Dist.
- 4.. The DE/OP/Mahabubabad/TSNPDCL/Warangal Dist.

Copy to:

5. The Chairperson, CGRF,TSNPDCL, Nakkalagutta, Hanamkonda, Warangal Dist.
6. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills,Hyderabad.