

THE STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION No. P/077/2021**(Present: A.S. Dasappan)****Dated: 17th March, 2022**

Appellant : Sri. Raveendran Pillai
Paikatt Puthen Veedu,
Avanoor, Kottarakkara. P.O.,
Kollam Dist. 691 506

Respondent : Asst. Executive Engineer,
Electrical Sub Division, KSEB Ltd.,
Kottarakkara, Kollam Dist.

ORDER**Background of the case:**

The appellant filed this Appeal Petition with a request to issue order for the shifting of the distribution transformer erected in front of the appellant's property for the free entry to the landed property from the road. The transformer was erected in the year 2010 and even after repeated requests, the respondent had not taken any action for the shifting of the transformer. As such the appellant filed a petition vide OP No. 52/2021 before the Consumer Grievance Redressal Forum (CGRF), Southern Region, Kottarakkara and the Forum in its order dated 28-09-2021 rejected the request of the appellant with an opinion that the petitioner is at liberty to approach the District Magistrate, Kollam.

Aggrieved by the decision of the Forum, the appellant filed this appeal petition before this Authority.

Arguments of the appellant:

A 100 kVA transformer was installed by KSEB Ltd. in front of the property of the appellant in the year 2010. At the time of proposal of the erection of the transformer, the appellant had given a complaint to the Deputy Chief Engineer, Electrical Circle, Kottarakkara since the erection of the transformer would create inconvenience to the appellant for the free movement from the road to the property. The Deputy Chief Engineer arranged an inspection at the site and the inspection team settled the dispute by proposing the erection of the transformer in front of the appellant and the nearby property owner. Afterwards, the appellant with family went to Maharashtra State for residing at there. During the period of absence of the appellant, the Licensee erected the transformer in front of the appellant's property alone, which created inconvenience to the appellant. The appellant had made complaints many times before the officials of the Licensee, but no action was initiated by the Licensee. The request of the appellant is to shift the transformer for two meters from the existing location.

Arguments of the respondent:

The appellant's requirement is to shift the 100 kVA transformer by name "Vallom Balavadi" installed in the year 2010 under the area of Electrical Section, Kottarakkara. The transformer was erected in public road side and erection is intended to improve the voltage around the area of "Vallom Balavadi". The transformer does not create any inconvenience to the appellant and no hindrance to the movement of vehicles to the property. If the transformer is shifted towards the front side of the nearby property there will occur inconvenience to the traffic along the road. Moreover, the nearby property owner Sri. John Pappy has made a complaint to the Executive Engineer, Electrical Division, Kottarakkara against the shifting of the transformer towards the front side of his property. Now, the transformer is situated safely in a technically feasible location and which is

not creating any inconvenience to the appellant. If another technical feasible location is suggested, KSEB Ltd. is ready to shift the transformer station under deposit work.

Analysis and findings:

An online hearing was conducted on 17-02-2022 with prior intimation to both the appellant and the respondent. Sri. Raveendran Pillai, the appellant and Sri. G. Binu, Assistant Engineer-in-Charge, Electrical Subdivision, KSEB Ltd., Kottarakkara attended the hearing from the respondent's side. On examining the petition, the counterstatement of the respondent, the documents attached and the arguments made during the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decision thereof.

According to the appellant, the erection of the 100 kVA transformer and its structure is an obstruction for entering into the compound owned by the appellant including vehicles. The inconvenience thus, caused to the appellant had been brought to the notice of officers of the Licensee even before the erection of the transformer. Though there was a finalization of the location of the transformer in the presence of the appellant before the erection, but the transformer was installed inconveniently in the absence of the appellant. As such, the appellant wants either to shift or to make suitable arrangement of the transformer, so as to minimize the inconvenience caused to the appellant.

As per the respondent, the transformer was erected in the public road side with no inconvenience to the appellant. If the transformer is shifted towards the front side of the nearby property with compound wall, it will adversely affect the free movement of vehicles along the public road, which is not technically feasible. The present position of the transformer is not creating any inconvenience to the appellant.

In this subject matter, the transformer erected in the present location is for improving the voltage in the area around the “Vallom Balavadi” under Electrical Section, Kottarakkara. The main contention of the appellant is that the transformer was erected by the respondent violating the decision pertains to the location of the transformer in the presence of the appellant.

In the hearing conducted on 17-02-2022, the respondent revealed that the transformer was erected in a Double Pole (DP) structure and fencing was provided around the transformer structure. The entire shifting of transformer with fencing from the existing location towards the front side of the nearby property is not technically feasible as per respondent.

On verifying the photograph produced by the appellant, it is seen that the transformer was erected in the front side of the property of the appellant without entering any portion of the structure towards the front side of the compound wall of the nearby property. In the hearing, the appellant revealed that the appellant is willing to remit the expenses for shifting of the transformer structure.

A consumer or an owner of a property should not be put to undue hardships or cause him inconvenience by the installation of electric lines or transformers, but the installation shall be done with least inconvenience to them observing safety and technical feasibility. If any dispute regarding the route or location of the electrical installation, there is provision to approach the empowered authority for orders. In this case, either the appellant or the respondent had not approached the empowered Authority, which was also observed by the CGRF. The respondent has revealed that a complaint was given by the nearby property owner to the Licensee.

Decision: -

From the analysis done above and the conclusions arrived at, it is directed the respondent to look once again whether there is technical feasibility for shifting or rearranging the transformer station minimizing the inconvenience to the appellant and the respondent shall inform his decision to the appellant within a period of 15 days from the date of this order. If the

appellant is not satisfied with the decision of the respondent, the appellant is free to approach the District Magistrate.

Having concluded and decided as above, it is ordered accordingly.
No order on costs.

ELECTRICITY OMBUDSMAN

P/077/2021/ dated _____.

Delivered to:

1. Sri. Raveendran Pillai, Pakkatt Puthen Veedu, Avanoor, Kottarakkara. P.O., Kollam Dist. 691 506
2. Asst. Executive Engineer, Electrical Sub Division, KSEB Ltd., Kottarakkara, Kollam Dist.

Copy to:

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