

THE STATE ELECTRICITY OMBUDSMAN
Charangattu Bhavan, Building No.34/895, Mamangalam-Anchumana Road,
Edappally, Kochi-682 024.
www.keralaeo.org Ph: 0484 2346488, Mob: 91 9447576208
Email:ombudsman.electricity@gmail.com

APPEAL PETITION No. P/100/2015

(Present: Sri. V.V. Sathyarajan)

Dated 12th August 2015

Appellant : Sri. Jabir Ali P.K.
Poyilil House,
Parammal,
Mavoor P.O.,
Kozhikode – 673 661

Respondent : The Assistant Executive Engineer,
KSEBoard Ltd,
Electrical Sub Division,
Kovoor
Kozhikode

ORDER

Background of the case

The appellant, Sri Jabir Ali P.K. is a consumer with consumer No. 21066 under Electrical Section, Mavoor and is residing at Parammal. It is alleged that the transformer situated at about 100 metres away from the premises of the appellant is proposed to shift to the entrance of his property thereby making obstruction to his way. Hence the appellant approached the CGRF with a complaint seeking an order to prevent the shifting of transformer by the respondent. But the Forum found that the DP structure erected for installing the transformer has been completed in such a way that there is no obstruction to movement of men and material and general public thus ratifying the action of the respondent. Against the order of the Forum, the appellant filed this appeal petition before this Authority.

Arguments of the appellant

The appellant stated that he had purchased about 2.75 cents of land during 2007 for constructing the pathway to his property. The existing transformer is kept in a vacant place where the traffic is less and the area now proposed is more crowded, busy and there are buildings, shops and educational institutions functioning. During rainy season water logging in this area is common. Further the appellant stated that there is no voltage problem in this area as alleged in the mass petition and the area in which voltage problem is about 800 metres away from this location.

In order to solve the issue the appellant suggested to enhance the capacity of existing transformer or to install a new transformer at the area in which voltage issue raised. Shifting the location of the transformer for the mere reason that the existing location is not the load centre and this argument is not correct. There is no voltage problem in the appellant's area and its surroundings and hence argued that shifting of transformer is with ill motive and to harass the appellant. All the above facts were submitted before the Hon'ble CGRF but the same was not considered. During the discussions held at Grama Panchayath office, it was pointed out by a Member of Grama Panchayath that the DP Structure erected at the proposed location will affect the pathway to the appellant's house and hence it cannot be considered as a suitable one.

Further argued that there is no other way to the property of the appellant and his brother but ample space is available along the Mavoor Kozhikode Road which was not considered by the respondent. As an employee of KSEB Limited, the appellant requested to release him from the present controversy by issuing an order to shift the transformer from the area now proposed.

Arguments of the respondent

The respondent contented that 100 kVA Parammal transformer has two feeders out of which one is feeding to the appellant's area. A mass petition from the consumers of Parammal area regarding the frequent supply interruptions and voltage problems was received. On an inspection of that area, it is noted that the total load of the transformer was given in the LT feeder for Parammal side and transformer was not located in the load centre and the length of the line is covered by a very long distance. Hence it was decided to relocate the transformer to the Mavoor Kozhikode Road where the 11 kV line passes through the Parammal Town. Since the consumers and the shop owners of Parammal Town are not cooperating with the shifting work, the DP Structure was shifted to the disputed location in consultation with respective persons of that area. Though the appellant was not present during the discussion conducted in the Grama Panchayath office regarding the shifting work, the appellant's brother attended the same and without any comments. The DP Structure now erected is at PWD road having a width of 3.1 metre which is in no way affected to the way to the appellant's property.

The respondent stated that due to the objection from the appellant's side the work could not be completed. The consumers of that area had again submitted a petition to the Assistant Engineer, Electrical Section, Mavoor to complete the work and to solve the voltage problem. The respondent submitted that as there is no other suitable location available on the road side for installing the transformer and distributing the load more efficiently, sanction may kindly be given for installing the transformer at the proposed location.

Analysis and findings

The hearing of the case was conducted on 16-06-2015 in the CGRF Court Hall, Kozhikode and Sri Jabir Ali P.K. appeared for the appellant's side and Smt. Maya P.V., Assistant Executive Engineer, Electrical Sub Division, Kovoov and Sri Devarajan K., Sub Engineer, Electrical Section, Mavoor appeared for the respondent's side. On examining the petition and the arguments filed by the appellant, the statement of facts of the respondent,

perusing the documents attached and considering all the facts and circumstances of the case, this Authority comes to the following conclusions leading to the decision.

Apart from the assertions, the only contention raised by the respondent in this case is the non availability of suitable space for installing the transformer as the proposed location found suitable considering it as the load centre. At the same time the appellant argued that there is no voltage drop in that area and there is ample space for installing the transformer and the proposal is with ill motive. On going through the documents and the arguments of both parties this Authority had decided to appoint a Commission for conducting site inspection and to obtain a detailed report for taking further steps in the matter. So, this Authority has directed the Deputy Chief Engineer, Electrical Circle, Kozhikode to depute an Assistant Executive Engineer to inspect the site and report whether the proposed location is ideal and makes any inconvenience to the appellant and if so suggest suitable location so as to avoid further objections in this regard. Accordingly, Sri C.K. Jayakumar, Assistant Executive Engineer, Electrical Sub Division, Nadakkavu appointed as Commission and conducted an inspection on 10-07-2015 and submitted his report to this Authority.

On going through above report, it can be seen that the DP erected in a distant place about 3.6 metre away from the tarred area of the PWD road and there is a width of 3.1 metre to the pathway of the appellant's property. In that situation there is no hindrance for the movement of vehicles. When construction of fencing for the transformer station is completed as per REC Standards, will partly affect the pathway to the appellant's property. In this case, considering the safety aspects, the licensee has to follow the instructions of Electrical Inspectorate and fencing has to be provided in this location. Further it is suggested that suitable locations for installing the transformer are available on the side of Kozhikode Mavoor road. (For example, locations between MK 46 to MK 47 and MK 36 to MK 37 are found less crowded and suitable for the shifting but objections from the neighbouring persons cannot be neglected).

It is pertinent to note that the location once fixed and shifted to other location, due to the objection of an employee of KSEB, there is every chance of further objections from the public. Hence the Commission suggested a proposal to find out a suitable location in consultation with the various consumer groups of that area and the representatives of local bodies so as to avoid further objections in this case. In order to redress the grievances of consumers at Parammal, installation of a transformer is found necessary and no doubt that the same is to be erected at the load centre. In the case of voltage improvement work, normally public support cannot be expected unless the officers of the respondent are acted in a cautious manner. Here, the respondent failed to take a decision in the meeting even though discussions were carried out with the respective persons. A proposal for a new transformer or enhancing the existing transformer is usually made for the voltage improvement work. But, here the respondent proposed to shift the transformer rather than proposing a new transformer or enhancing the capacity of existing transformer without furnishing valid reasons. If the respondents were vigilant and acted in a judicious manner, the issue could have been avoided and the grievance of the consumers be redressed then and there.

Decision:

In view of the above discussions this Authority feels that the voltage problem of the consumers at Parammal has to be redressed at any rate and the respondent is bound to do the work. Hence the respondent is directed to verify the locations proposed by the Commission and take further steps to install a new transformer in any of the above locations rather than shifting.

Having concluded and decided as above it is ordered accordingly. The appeal is found having some merits and hence admitted. The order CGRF is set aside. No order as to costs.

ELECTRICITY OMBUDSMAN

No. P/100/2015/_____ /Dated.

Forwarded to:

1. Sri. Jabir Ali P.K., Poyilil House, Parammal, Mavoor P.O., Kozhikode – 673 661
2. The Assistant Executive Engineer, KSEBoard Ltd, Electrical Sub Division, Kovoov, Kozhikode

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, CV Raman Pillai Road, Thiruvananthapuram-10.
2. The Secretary, KSEB Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, Vydhyuthibhavanam, KSEBoard Ltd, Gandhi Road, Kozhikode