

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 9539913269
Email:ombudsman.electricity@gmail.com

REVIEW PETITION No. 06/2018 IN APPEAL PETITION No. P/029/2018
(Present: A.S. Dasappan)
Dated: 29th August 2018

Review Appellant : Sri. Sadiq P.A.
President,
Jewel Riverwoods Flat Owners
Association, Aluva,
Ernakulam

Review Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Ltd.,
Aluva Town,
Ernakulam

ORDER

The appellant representing the Jewel Riverwoods Flat Owners Association, Aluva approached the Electrical Section, Aluva North for shifting two numbers of electrical posts installed in the flat compound to the private road outside the compound for which the flat owners have 50% ownership. But this was objected by the other owners of the private road and the matter was presented before the Additional District Magistrate (ADM) by the respondent. The ADM dismissed the petition after hearing both parties as he found the petition lacks merits. Then the appellant approached the CGRF-CR, Ernakulam by filing a Petition vide No. 88/2017-18 and the CGRF directed the respondent to realign the post and line to the boundary of the property of the appellant after collecting the required charges, vide its order dated 31-03-2018. The respondent has prepared an estimate for shifting the PSC pole and realignment of three phase line on work deposit basis. The work was not done since the shifting will cause damage to the pipelines of the sewage treatment plant of the appellant. Then the appellant has submitted an appeal petition before this Authority which was disposed of with a direction to the respondent to prepare

an estimate for the drawing of the LT Aerial Bunched Cable (ABC) in the place of existing three phase four wire overhead conductor for two span of line within 15 days from the date of the order and inform the appellant and if the appellant is willing to accept the proposal and to bear the expenditure, the respondent shall carry out the work within one month without changing the location of the existing electric LT poles, vide Order No. P/29/2018 dated 03-07-2018. Accordingly the respondent has issued an estimate for converting overhead line to ABC amounting to Rs. 23,490/- to be done by the appellant and also directed to remit Rs. 224/- as supervision charges and to submit an undertaking by the appellant. The review appellant is not willing to accept the proposal of ABC and requested to implement the order of CGRF without changing the location of the pole and hence this review petition.

The review appellant has requested an order by amending the Order received from the CGRF under reference No.CGRF-CR/OP No 88/2017-18/571 dated 31.03.2018 as to "providing two side arms in the posts -B & C- and realign the electrical LT connection of the Consumer Number 421 on it, with the maximum possible lengthened side arms from the outer boundary of the existing compound wall.

The review respondent has stated that the above proposal of the appellant is feasible and can be done after remitting the required expense by the appellant. By doing so, the line can be shifted towards the private road without shifting the position of the post "C" marked in the sketch.

The hearing of the case was conducted on 14-08-2018 in the office of the State Electricity Ombudsman at Edappally. The review appellant appeared for the hearing. Smt. Jessy Rose Chacko, Assistant Executive Engineer, Electrical Sub Division, Aluva represented the respondent's side. On examining the review petition, the counter statement of the Respondent, perusing the documents attached and 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 thereof.

No glaring mistake or apparent errors on the face of record, on the order dated 03-07-2018 of this Authority, in Appeal Petition No. P/29/2018, were pointed out by the appellant here. Moreover, there was no discovery of a new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him, before this Forum earlier. Hence, there is no cause or sufficient reason established by the Review appellant, for the Review of the order already issued.

In the review petition nothing is pointed out which escaped the notice of this Authority while disposing the appeal petition. The review jurisdiction is

limited to rectify a mistake or an error which is apparent on the face of records and it cannot be used as appellate jurisdiction. However, the respondent is free to take action to resolve the grievance of the review appellant by implementing a feasible proposal without any complaints from the rival parties. In this background, this Authority didn't find any reason to intervene the order already issued.

ELECTRICITY OMBUDSMAN

REVIEW PETITION No. 06/2018 IN
APPEAL PETITION No. P/029/2018/

/Dated: _____

Delivered to:

1. Sri. Sadiq P.A., President, Jewel Riverwoods Flat Owners Association, Aluva, Ernakulam
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd., Aluva Town, Ernakulam

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, CGRF-CR, 220 kV, KSE Board Limited, Substation Compound, HMT Colony P.O., Kalamassery, PIN: 683 503.