

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION No. P/102/2019
(Present: A.S. Dasappan)
Dated: 14th February 2020

Appellant : Smt. Binny Mathew
Chirakkal house, Kalaketty P.O.,
Kottayam

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Ltd, Erattupetta,
Kottayam

ORDER

Background of the case:

The appellant had applied to provide an electric connection for agricultural purpose in her property vide application number 2156321900177 on 04-07-2019. The Sub Engineer assessed Rs 44000/- as estimate to draw the line through two nearby property owners who issued consent. Another property owner had not issued consent to draw the line through the pathway owned by him, but the Assistant Executive Engineer, Erattupetta had decided to draw the line through the pathway only and directed the Assistant Engineer and Sub Engineer to prepare the estimate for the line through the pathway. Accordingly, the appellant was issued a demand note for Rs. 1,10,442/- on 19-09-2019. Aggrieved by this, the appellant had approached the CGRF, Kottarakkara by filing a petition in OP No. 103/2019. The Forum allowed the petition and directed the respondent to draw the line through the route as suggested by the respondent firstly, Aggrieved against the non implementation of the order by the respondent, the appellant has submitted this appeal petition before this Authority on 23-12-2019.

Arguments of the appellant:

The appellant had applied to provide an electric connection for agricultural purpose in her property to the Assistant Engineer, Pinnakkanad vide application number 2156321900177 on 04-07-2019. Sri Jayakrishnan, Sub Engineer of the Section Office came to the site and informed that nearly Rs. 44,000/- is required to draw the electric line after erecting three number

of poles. The Sub Engineer assessed the above amount on the situation that the two nearby property owners issued consent to draw the line through their property and another property owner had not issued consent to draw the line through the pathway owned by him. The file was submitted to the Assistant Executive Engineer, Erattupetta and the Engineer decided to draw the line through the pathway only. The consent to draw the line through the pathway was not received and though which was brought to the notice of the Assistant Executive Engineer, he directed the Assistant Engineer and Sub Engineer to prepare the estimate for the line through the pathway. The appellant received a demand note for Rs. 1,10,442/- on 19-09-2019 and hence filed petition before the Deputy Chief Engineer, Pala and Consumer Grievance Redressal Forum, Kottarakkara. The Consumer Grievance Redressal Forum Kottarakkara ordered to effect the connection by drawing the line as proposed firstly. But the respondent did not effect the connection as ordered by the CGRF.

Arguments of the respondent:

The appellant had given an application for an agricultural connection under LT V A tariff in Electrical Section, Pinnakkanad on 04-07-2019 along with the letter of Agricultural Officer, Krishi Bhavan, Kanjirappally. The Sub Engineer inspected the site and prepared an estimate for Rs. 44,000/- towards the cost for drawing the line as "Cross Country" and submitted to the respondent. The respondent inspected the site and found that the above proposal is not feasible and it is threat to safety and chances of accidents. The safe method is to draw the line through the pathway, though it is more expensive and a demand note for Rs. 1,10,442/- was issued to the appellant accordingly. The appellant appealed CGRF and the Forum ordered on 21-11-2019 to draw the line through the rubber estate keeping statutory clearance. As ordered by the Forum, the trees to be cut and removed were marked and intimated the appellant, but no action was taken by the appellant so far. The appellant had also filed a petition before the KSEERC and hence it is requested to reject the appeal petition and to direct the appellant to cut and remove the trees or branches so as to draw the line safely as ordered by the CGRF.

Analysis and Findings

The hearing of the case was conducted on 10-02-2020, in the office of the State Electricity Ombudsman, Edappally, Kochi, and Sri Bijoy Sebastine for the appellant and the respondent by Sri. Babujan S, Assistant Executive Engineer, Erattupetta Electrical Sub Division appeared for the hearing and they have argued the case, mainly on the lines stated above.

On examining the Petition and argument notes filed by the appellant, the statement of facts of the Respondent, perusing all the documents and considering all the facts and circumstances of the case, this Authority comes to the following conclusions and findings leading to the final decisions thereof.

The brief facts of the case are narrated above.

The CGRF, Kottarakkara has issued an order allowing the petition of the appellant and the orders of CGRF is acceptable to the appellant. But the grievance of the appellant is non-implementation of the orders by the respondent till date. The appellant has also submitted a petition on this matter before the Kerala State Electricity Regulatory Commission in complaint No. 1969/2019 on 29-11-2019. As per the respondent, trees were marked for cutting for the drawal of the line through the property of two others and a notice was issued to the appellant on 02-12-2019. The respondent is ready to draw line as ordered by the CGRF on cutting the trees by the appellant with safety clearance.

Decision:

The appellant approached the Kerala State Electricity Regulatory Commission seeking implementation of orders of CGRF, Kottarakkara and hence it is not required to issue any orders by this Authority.

However, from the analysis done above and the conclusions arrived at, it is directed the respondent to look into the possibility of drawing LT Aerial Bunched Cable (ABC) through the proposed or any other convenient route without or minimising cutting trees or branches of trees and the respondent shall prepare an estimate and inform to the appellant within a period of 15 days from the date of this order.

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

ELECTRICITY OMBUDSMAN

P/102/2019/ _____ /Dated: _____

Delivered to:

1. Smt. Binny Mathew, Chirakkal house, Kalaketty P.O., Kottayam
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Erattupetta, Kottayam

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.