

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED
TIRUPATI

On this the 13th day of June 2013

In C.G.No:04/ 2013-14/ Vijayawada Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Sateesh Kumar

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri. A.Venkatanarayana & Others
DNo:24-11., Nehru Nagar
Nandigama Post & Mandal
Krishna-Dist-521185

Complainant

And

1. Assistant Accounts Officer/ERO/Nandigama
2. Assistant Engineer/Operation/Town/Nandigama
3. Assistant Divisional Engineer/Operation/ Nandigama
4. Divisional Engineer/Operation/Rural/Vijayawada

Respondents

* * *

Sri. A.Venkatanarayana & Others residents of DNo:24-11., Nehru Nagar, Nandigama Post & Mandal, Krishna-Dist-521185 herein called the complainants, in their complaint dt:15-04-2013 filed in the Forum on dt:15-04-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 have stated that:

1. They are residents of Nehrunagar area in Nandigama Town and 133KVA electrical wires are passing over their houses for the past 10 years and there was a fatal accident case and also severe injuries to many due to current shock.
2. Since the lines are lying at a low level, it is becoming difficult for them to construct houses.
3. About 200 families are facing the problem because of the above said wires.
4. Requested to remove the wires.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-2 Assistant Engineer/Operation/Town/Nandigama in his written submission dt:25-05-2013, received in this office on 28-05-2013 stated that:

1. A representation has given by A.Venkatanarayana, DNo:24-11 and 9Nos others at Nehru Nagar, Nandigama town for shifting of electrical lines passing over through their houses.
2. Estimate has been sanctioned vide sanction No.(CE Zone VJA DC.No.92/12-13 of AE/O/nandigama Town) Demand notice intimated to the consumer vide LrNo:AAE/OS/NDGM/FN/DNO.56/13, Dt:16-04-13.
3. But the consumer has not paid shifting of electrical line charges. Acknowledgement is received from consumer.

Findings of the Forum:

1. The grievance of the complainants is that a 132 KVA line is passing across their houses and cause several injuries including one fatal accident in the past twenty years and about 200 families are suffering as they are prevented from construction of houses under the lines and requested to remove the lines..
2. The respondents for the above reported that an estimate has been sanctioned by the CE/Zone/Vijayawada for an amount of Rs.9,78,900/- and the demand notice was intimated to the consumer on 16-04-2013 under dated acknowledgment, but the consumer has not paid the said shifting charges so far.
3. It appears that the line being 132 KVA, under any circumstances will not be constructed over dwelling areas and it is under stood that the residents have constructed the houses under the line at a later date of its erection.

4. As such, the contention of the respondents that the beneficiaries on account of the said shifting are liable to pay the said shifting charges is accepted and the work shall be taken up under the head of “**deposit contributory works**” only on receipt of the said payments.
5. It is also the responsibility of the complainants / beneficiaries of the said shifting to provide the necessary way leave for the proposed re-route new erection of the line and the footings at their own cost.

In view of the above, the Forum passed the following order.

ORDER

The complainants are directed that they shall

- i. Have to pay the charges as per the sanctioned estimate basing the cost data in force, and
- ii. Have to provide the necessary way leave for the proposed re-route new erection of the line and the footings at their own cost, if they prefer to get the said shifting done.

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on the 13th day of June 2013.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents

Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.