

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

On this the 31st day of December 2019
C.G.No:186/2019-20/ Tirupati Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. A. Ramdas
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Finance)
Independent Member

Between

M.Shiva Shankar & Harinath ,
Kalikiri ,
B.D. Colony,
Chittoor- Dist

Complainant

AND

1. Deputy Executive Engineer O/Kalikiri
2. Executive Engineer/O/Piler

Respondents

ORDER

1. Complainants M. Shiva Shankar and Harinath presented a complaint before the Forum for shifting of electrical lines passing over their land.
2. Respondent No. 2 submitted his written statement wherein he stated that the said 33KV line was erected by the AP-Transco contractor under Turnkey basis which is 33KV line between 400KV Kalikiri and 220 KV Kalikiri SS for station supply to 400 KV SS. The said 33KV line was erected by the contractor through the plot of applicant and subject matter pertains to AP-Transco. The applicant Sri M. Siva Sankar was informed to approach the AP-Transco contractor to get either Compensation or Shifting of line.
3. A Personal hearing was conducted at Tirupati on 19.12.2019, Sri M Siva Shankar from the complainant side and Respondent No.2 attended to the personal hearing. The complainant stated that electrical lines were also erected in their land 10 years ago and

DESPATCHED

DATE

4/1/20

since then he was approaching electrical officers but his grievance is not resolved. Respondents on the other hand reiterated their version stating that the work was executed by the AP Transco under turnkey basis and that they don't have any jurisdiction for resolving the complainant's grievance.

4. The point for determination is whether the complaint before this Forum is maintainable?

According to the complainant, electric lines were erected in their land about 10 years back and since then they are approaching the electricity department for relocation of the electric lines but his grievance was not resolved. But mean while 33 KV line was laid through their plot . Respondent alone supervised the work. Now they are saying that the work was done by contractor of AP Transco under turnkey basis and the same is not reasonable.

On the other hand according to respondents work was executed by the contractor of A.P. Transco under turnkey basis and they do not have jurisdiction for resolving the grievance of the complainant.

Complainant is seeking two reliefs, one is in respect of removal of electric lines passing through their land said to have erected about 10 years back .

“Clause No. 10.2 of Reg. 03 of 2016 is as follows : The Forum may reject the complaint at any stage under the following circumstances.

a)

b)

c) *In cases where the complaint has been submitted beyond two years after the date on which the cause of action has arisen”.*

d)

Complainant approached this Forum after 10 years of cause of action. So this Forum is not competent to entertain the complaint for removal of passing of electric lines through his land which were said to have erected about 10 years back. The complaint so far for the relief of removal of electric lines passing through the land which were erected 10 years back is concerned is liable to be rejected.

The second relief prayed by the complainant for removal of 33 KV line passing through the plot of the complainant. According to the respondents the 33 KV Line was erected by contractor of AP Transco under turnkey basis .This Forum is not competent to entertain the disputes between the complainant and AP Transco. Complaint is not maintainable before the Forum. Complainants are advised to approach the appropriate Forum for resolving their grievance.

5. In view of the above reasons the complaint before this Forum is not maintainable. Hence dismissed.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008 within 30 days from the date of receipt of this order.

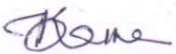
This order is passed on this, the day of 31st December 2019.

Sd/-
Member (Finance)

Sd/-
Independent Member

Sd/-
Chairperson

Forwarded By Order


Secretary to the Forum

To

The Complainant

The Respondents

Copy to the General Manager/CSC/Corporate Office/ Tirupati for pursuance in this matter.

Copy to the Nodal Officer (Executive Director/Operation)/CGRF/APSPDCL/TPT.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008 within 30 days from the date of receipt of this order

Copy Submitted to the Secretary, APERC,11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.