

CONSUMER GRIEVANCES REDRESSAL FORUM
SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED,
TIRUPATI

This the 07th day of May'2024

C.G.No.112/2023-24/Nellore Circle

CHAIRPERSON **Sri. V. Srinivasa Anjaneya Murthy**
Former Principal District Judge

Members Present

Sri. K. Ramamohan Rao Member (Finance)
Sri. S.L. Anjani Kumar Member (Technical)

Between

Sri. P.Narayana, H.No.193, Bandarupalli,
Atmakur (M), Nellore Dist.

Complainant

AND

1. Dy. Executive Engineer/O/Atmakur
2. Executive Engineer/O/Atmakur

Respondents

This complaint came up for final hearing before this Forum through video conferencing on 03.04.2024 in the presence of the respondents and the complainant remained absent and having considered the material placed by both the parties, this Forum passed the following:

ORDER

- 01.** The complainant filed the complaint during Vidyut Adalat conducted on 05.01.2024 at Atmakur stating that he is having a residential house in Bandarupalli Village and 11 KV electric line is passing over and



above his house endangering the lives of the inmates of the house and he requested the respondents to shift the line, but in vain.

02. The said complaint was registered as C.G.No.112/2023-24 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that the complainant has constructed his house unauthorisedly under an existing 11 KV line and as per departmental rules in vogue there is no possibility for shifting of the said line without financial commitment and hence they requested the complainant to submit an application for shifting of the said line and to pay the shifting charges as per the estimate to be made on his application, but he did not come forward.
03. Complainant absent. Heard the respondents through video conferencing.
04. Now the point for determination is :

“Whether the respondents can be directed to shift the electric line without there being an application and payment of shifting charges from the complainant”?

05. It is the claim of the complainant that 11 KV electric line is passing over and above his house endangering the lives of the inmates of his house and that it is the duty and responsibility of the respondents to




shift the line without there being any application and payment of shifting charges by him.

06. On the otherhand, the contention of the respondents is that it is the complainant who constructed his house unauthorisedly by occupying the site under the existing 11 KV line and hence the complainant has to make an application and shall pay the shifting charges as per departmental rules in vogue and he cannot demand for shifting of the line at free of cost.
07. This Forum opine that for proper adjudication of the matter, it is better to make field inspection and hence the Chairperson and the Members/Finance and Technical visited the house of the complainant on 19.03.2024 at 04.00 P.M. The complainant and respondents present at the time of our visit. We noticed that the site of the complainant and the neighboring sites are originally agricultural fields in which electrical supply was given long back by erecting poles and lines. We noticed that the complainant constructed his house under the existing electric line knowing fully well that it is endanger to the lives of the inmates of the said house. We asked the complainant to produce title deeds of his house but he did not produce any record evidencing his legal ownership over the site and house which clearly shows that he

unauthorisedly occupied the site and constructed the house under the existing 11 KV line. Considering the circumstances that the complainant unauthorisedly constructed the house under the existing 11 KV electric line, we have no hesitation to hold that the respondents are not under the obligation and have no responsibility to shift the said electric line without there being an application and payment of shifting charges by the complainant and they cannot be directed to shift the line at free of cost. Hence, we find no merits in the complaint and it is liable to be dismissed. Accordingly, the point is answered.

- 08.** In the result, the complaint is dismissed. There is no order as to costs. However, if the complainant make an application the respondents are directed to prepare the estimated cost of shifting of the line and issue demand notice to the complainant and on payment of the estimated shifting charges, the respondents shall shift the line and intimate the same to this Forum.
- 09.** The complainant is informed that if he is aggrieved by the order of the Forum, he may approach the Vidyut Ombudsman, 3rd Floor, Plot. No.38, Adjacent to Kesineni Admin Office, Sriramachandra Nagar, Mahanadu Road, Vijayawada-08 in terms of Clause.13 of Regulation.No.3 of 2016 of Hon'ble APERC within 30 days from the



date of receipt of this order and the prescribed format is available in the website vidyutombudsman.ap.gov.in.

Typed to dictation by the computer operator-2 corrected and pronounced in the open Forum on this the 07th day of May'2024.

Chinty 07/05/2024

CHAIRPERSON

K. Ramani Shan Rao
Member (Finance)
07/05/2024

[Signature]
Member (Technical)

Documents marked

For the complainant: Nil

For the respondents: Nil

Copy to the

Complainant and All the Respondents

Copy Submitted to

The Chairman & Managing Director/Corporate Office/APSPDCL/ Tirupati.

The Vidyut Ombudsman, 3rd Floor, Plot No.38, Sriramachandra Nagar, Vijayawada-08.

The Secretary/Hon'ble APERC/Hyderabad-04.

The Stock file.

Chinty