

CONSUMER GRIEVANCE REDRESSAL FORUM

CENTRAL REGION

(Formed under Section 42(5) of the Electricity Act 2003)

220 kV Substation Compound, HMT Colony P.O., Kalamassery, Pin – 683 503
Phone No. 0484-2556500 Website: cgrf.kseb.in, Email: cgrf.ekm@gmail.com,
CUG No. 9496008719

Present

(1) Smt. Sheeba. P
(2) Sri. Biju Varghese

Chairperson
3rd Member

Petitioner

Sri. K.G.Somashekharan Nair,
Kannikunnathu House,
Elambra Kara,
Eramalloor Village,
Nellikuzhi P.O., Kothamangalam,
Pin – 686 691

Respondent

The Assistant Executive Engineer,
Kerala State Electricity Board Ltd,
Electrical Sub Division,
Kothamangalam
(Electrical Section, Nellikuzhi)

=====

No.CGRF-CR/OP No.59/2023-24 **Date: 27-11-2023.**

=====

ORDER

Background of the case:

The petitioner is the owner of a piece of land situated within the jurisdiction of Electrical Section Nellikuzhi. The incident in this petition occurred when the area was previously under the jurisdiction of Electrical Section Kothamangalam No.1. Due to the construction of the Thankalam-Kakkanad highway project, electric lines at the proposed site of the bridge had to be temporarily shifted. Consequently, the relocated electric line now crosses a portion of the petitioner's property. Since the licensee's actions were undertaken without the petitioner's knowledge, the petitioner approached the then Assistant Engineer of Electrical Section Kothamangalam No.1. Then, the Assistant Executive Engineer, Electrical

Subdivision Kothamangalam assured the petitioner in writing that the line would be shifted once the bridge construction was completed.

Despite the termination of road construction work and the rerouting of the road, the licensee has not shifted the electric line, even after repeated appeals from the petitioner to higher offices. Hence the petitioner has approached this Forum seeking assistance in getting the electric line relocated.

Version of the Petitioner:-

The petitioner has explained that, as part of the proposed Thankalam-Kakkanad highway project, the respondent relocated electric lines from the site of bridge construction, which now crosses the petitioner's property. This included one electric post and its stay erected on their property without their knowledge or consent. The petitioner filed a complaint with the then Assistant Engineer and received a written assurance from the Assistant Executive Engineer, Electrical Subdivision Kothamangalam that the electric lines, post, and stay would be relocated from their property once the proposed project was completed.

However, the respondent has failed to fulfil this promise, causing difficulties for the petitioner in cultivating or undertaking any construction works on their property. Due to uncertainties in the proposed highway project, the petitioner is now requesting the Forum to direct the respondent to shift these lines from their property.

Version of the Respondent:-

The crossing of lines through the property and erection of one post with stay adjacent to the property of the petitioner were made with the knowledge and consent of the petitioner, as a part of the Thankalam -Kakkandad Highway construction in the year 2015-2016. It was ensured that these lines would be shifted from the property of the petitioner after completing the proposed project of Thankalam- Kakkandad Highway. Even though the construction of bridge was completed, the construction of road is yet to be completed. The alignment of road is not certain. So if the post is now shifted to another place, it may cause another shifting according to road alignment. At present, the post erected does not make any difficulty for cultivation or construction in this property.

Analysis and findings:

Hearing along with the site inspection was conducted at the site of petitioner on 20.11.2023. The Forum afforded an opportunity to hear the Petitioner and the Respondent. Both the petitioner and the respondent were present for hearing. Having examined the petition in detail and the statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both sides, the Forum comes to the following observations, conclusions and decisions thereof.

During the hearing, the petitioner mentioned that they had received a written assurance on 02/02/2017 from the Assistant Executive Engineer of the then Electrical Subdivision, Kothamangalam stating that the shifted electric line crossing the petitioner's land would be relocated as soon as the proposed highway project was completed. However, since the government has now abandoned the proposed project, the petitioner highlighted that the licensee has not fulfilled the assurance and shifted the electric line, despite the petitioner's repeated appeals to higher offices.

The respondent admitted that they had provided a written assurance to the petitioner. However, they stated that the relocation of electric lines from the petitioner's property is being temporarily delayed due to the ongoing delays in completing the road construction.

Based on the site inspection, it is evident that the electric line crosses the petitioner's property. Now the construction of the bridge across the Periyar valley canal is completed and the completion status of the proposed road remains uncertain. The then Assistant Executive Engineer has provided a written assurance regarding the shifting of electric lines from the petitioner's property and hence it is licensee's obligation to fulfil the commitment.

The respondent has submitted a sketch outlining the proposed relocation of the lines and poles from the petitioner's property. This Forum concludes that if the lines and poles are shifted according to the submitted sketch, there will be no hindrance for anyone, even for the road work in the future.

DECISION:

Considering the above facts and circumstances, this Forum issues the following orders:-

- 1. The respondent shall shift the electric line which crosses the petitioner's property in accordance with the sketch submitted to this Forum.**
- 2. No cost ordered.**

The petitioner is at liberty to file appeal before the State Electricity Ombudsman, D.H. Road, Off shore Road Junction, Near Gandhi Square, Ernakulam, Pin – 682 016 (Ph: 0484 -2346488 , Mobile No. 8714356488) within 30 days of receipt of this order, if not satisfied with this decision.

Dated this 27th day of November 2023

Sd/-
Sri.Biju Varghese
3rd Member
CGRF, Ernakulam

Sd/-
Smt. Sheeba. P
(CHAIRPERSON)
CGRF-CR, Ernakulam

Endt. On CGRF-CR/OP No.59/2023-24 Dated

Delivered to

Sri.K.G.Somashekharan Nair,
Kannikunnathu House,
Elambra Kara,
Eramalloor Village,
Nellikuzhi P.O.,
Kothamangalam,
Pin – 686 691

Sd/-
CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to:1) The Secretary, KSEBL, Vydhyuthi Bhavanam, Pattom,
Thiruvananthapuram.
“ 2) The Secretary, Kerala State Regulatory Commission,

KPFC Bhavanam, C.V Raman Pillai Road,
Vellayambalam, Thiruvananthapuram.

Copy to: -(1) The Deputy Chief Engineer, Electrical Circle, KSEBL, Perumbavoor.
(2) The Executive Engineer, Electrical Division, KSEBL, Muvattupuzha.
(3) The Assistant Executive Engineer, Electrical Sub Division KSEBL,
Kothamangalam.
(4) The Assistant Engineer, Electrical Section, Nellikuzhi