

**CONSUMER GRIEVANCE REDRESSAL FORUM
KERALA STATE ELECTRICITY BOARD LTD- SOUTHERN REGION
VYDYUTHI BHAVANAM, KOTTARAKKARA**

Present: 1. Smt.Laila.N.G,Deputy Chief Engineer, Chairperson
2. Sri. Sanjeev Koshy,Executive Engineer, Member II
3. Sri.C.K.Harikumar,Advocate,Member III

Monday 27th November,2023

OP No.56/2023

Between

Petitioner: Sri. Stanly Alphonsa,
Vivin Nivas, Near U.P. School
Kackottumoola, Mayyanadu.P.O, Kollam.

And

Respondents: (1) The Assistant Executive Engineer,
Electrical Sub Division, Kottiyam.

(2) The Assistant Engineer, Electrical Section, Mayyanad

ORDER

1. Grievance of the petitioner

The petitioner is a domestic consumer bearing consumer No.1145809007550 under Electrical Section, Mayyanad. The petitioner alleged that on 05/09/2022 employees of the licensee intruded in his property by breaking the lock of the gate and installed a 30 feet concrete electric post on the backside of his house close to their kitchen. The petitioner argues that the respondent stole his spade, axe and his pet dog. As per the petitioner the service connection to his house has been taken 30 years back from a post situated on his neighbour's property after obtaining consent from him. The petitioner accuses that the licensee installed the post in his property in order to provide service connection to his neighbour. The petitioner prays the Forum to give instructions to the licensee to remove the post from his property and return his spade, axe and his pet dog.

2. Version of the respondent

The petitioner is a LT Consumer under Electrical Section Mayyanad. The complaint is regarding the installation of an electric post in his premises on 05/09/2022 without his consent. As per the decision taken by the licensee for

ensuring the safety of the public as well as to improve the distribution network ,it is decided to replace the LT lines which pass through thickly vegetated areas with Areal Bunched cable conductor using licensee's own fund . It was necessary for the licensee to install an electric post in the premises of the petitioner . At present the LT single phase line passing through the property of petitioner is for providing service connection to Con.no.1145806009040, the consent of which has already been given years back. The LT line passing through the petitioner's property was not in a safe condition, and was rubbing against the tree branches

The petitioner has raised the issue before the complaint retification Adalath "Karuthalum Kaithangum" on 02/05/2023. As per the direction from Hon'ble minister Chinju Rani, Additional District Magistrate visited the site on 18/09/2023 along with Assistant Executive Engineer, Electrical Sub Division Kottiyam and Assistant Engineer, Electrical Section Mayyanad. The petitioner denied the proposal of shifting the post to the extreme end of his compound saying that he would never allow a post to be installed in his compound. Now the case is under the consideration of the ADM. All other arguments and issues raised by the petitioner are groundless

3. Analysis and Findings

The hearing of the case was conducted on 14/11/2023. Both petitioner and respondent were present. The petitioner filed a grievance before the Forum in which he demands Rs.60000/- as compensation. The licensee intimated the Forum that since the consent of the land owner is pending the ADM instructed to shift the post to nearby vacant land, and on 13/11/2023 the electric post has been removed from the petitioner's premises. The matter of compensation for lost spade, axe and pet dog does not fall within the purview of the Forum. As per the regulation (7) & (2) (1) (f) of the Kerala State Electricity Regulatory Commission(Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005 the Forum has no jurisdiction to give any compensation or take any disciplinary action against the officials of the licensee.

4. Decision

Considering the facts and circumstances mentioned above

1. Forum is pleased to dismiss the case as the electric post have been removed from petitioner's premises.
- 2.No order as to cost.

If the petitioner is not satisfied with the above order of this Forum, he is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order.

The address of the Electricity Ombudsman is furnished below.

'The State Electricity Ombudsman, D.H & Foreshore Road Junction, Near Gandhi Square, Ernakulam, Kerala - 682 016. Phone: 0484 2346488'.

Sd/-	Sd/-	Sd/-
C .K.HARIKUMAR	SANJEEV KOSHY	LAILA.N.G
ADVOCATE MEMBER III	EXECUTIVE ENGINEER MEMBER II	DEPUTY CHIEF ENGINEER CHAIRPERSON

Forwarded

Sd/-
CHAIRPERSON
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.56/2023/ 281 Dated :29/11/2023

Delivered to: 1. Sri. Stanly Alphonsa, Vivin Nivas, Near U.P. School
Kackottumoola, Mayyanadu.P.O, Kollam.

2. The Assistant Executive Engineer, Electrical Sub Division, Kottiyam.
3. The Assistant Executive Engineer, Electrical Sub Division, Mayyanadu.

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam, TVPM.
2. The Deputy Chief Engineer, Electrical Circle, Kollam
3. The Executive Engineer, Electrical Division , Chathannoor.