

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

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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

Friday 29<sup>th</sup> December ,2023

**OP No.55/2023**

Between

Petitioner: Sri. Sajeesh.S,  
Gouri, 25<sup>th</sup> Ward Kunnathu Lane ,  
G.H.S. Junction, Attingal

And

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

(2) The Assistant Engineer, Electrical Section, Attingal.

**ORDER**

**1. Grievance of the petitioner**

The petitioner is a consumer under Electrical Section Attingal bearing consumer number 1145319016500. In connection with difference of opinion in placing a strut pole, in his premises, the officials of K.S.E.B Attingal submitted a petition at Attingal police station. Accordingly, the petitioner was called over phone by police officials and asked him to present at police station, In the police station, the petitioner gave permission to place a strut pole in his premises. Subsequently he also gave written complaints to the officials of Licensee, but the licensee didn't get reply on the same. The only letter received from the officials of the Licensee is a demand letter of Rs.7923/- for placing a strut pole

The petitioner alleged that the complaint given by the licensee in the police station is absolutely fake and manipulated. On that statement, the licensee asserted that the electric Connection in his name under consumer number 1145319016500 is not at all taken from the post No.

C/8/5/2, which exists on his building compound near to the compound wall. However the electric Connection in his name under consumer number 1145319016500 is taken from the post No.48/7/1 placed on the natural and legitimate pathway of building name "Gouri" located on the back side of the building. The petitioner also contended that he has no involvement in removal of the old stay wire alleged by the licensee. The said rusted wire was in untied condition is being removed by the licensee. The petitioner alleged that the Assistant Executive Engineer misused her official powers to prepare a counterfeit official report and the same report was submitted at Attingal Police station. Hence the petitioner prays the forum to take appropriate disciplinary proceedings against the Assistant Executive Engineer for misusing the official power.

## **2. Version of the respondent**

The petitioner is a consumer under Electrical Section Attingal bearing Consumer number 1145319016500. The issue mentioned in petition was come to the attention of Licensee, when Mr. Deny Chandrika Sasidharan, a neighbour of Mr. Sajeesh filed a complaint through E-mail on 07/06/2021 before the Chief Vigilance Officer about the broken stay wire already provided with electric post numbered as C/8/5/2. The electric post was situated near private pathway to Sajeesh house, in the complaint filed before the Chief Vigilance Officer, the petitioner stated that the stay wire provided to the above mentioned electric pole which is ground laid earlier was cut off and throwing to his property over their compound of petitioner. It makes inconvenience to him and his family. Following that, the officials of the licensee visited and was seen that the stay provided to the end pole C/8/5/2 was seen rusted, broken and found hanging. Since it was not safe, directions were issued to remove the broken stay immediately and provide a new one in consultation with consumer on 16.09.2021. As per the direction, the KSEB Officials removed the hanging portion of the stay wire and toy to provide a new stay to the above said post, but the petitioner strongly interrupted the stay providing work and filed an objection letter to the Section Officer. The petitioner argued that if the stay wire is provided in his private Pathway, it will affect the vehicle access to his property. Considering the grievance of petitioner, the licensee recommended another option to provide a strut pole to the mentioned post, but the petitioner denied this option also.

Following the denial of the petitioner, the officials of the licensee inspected the site and understood that, since it is an end post a stay/strut is necessary to avoid electrical accidents in rainy season. Hence the Assistant Executive Engineer directly contact with petitioner and explained safety issues, however the petitioner stick on his decision. Since the petitioner interrupted the duty of KSEB officials as per IPC 353, the Assistant Executive Engineer filed a complaint on 05.04.2023, against petitioner to SHO Attingal police station to solve this problem.

The SHO conducted a hearing with the presence of both parties and examine the explanation from both parties. However the petitioner expressed his willingness to provide a strut pole to the above mentioned post. After wards the Assistant Engineer prepared an estimate of Rs.7923/- for providing strut pole and sent to Mr.Sajeesh.S. However the petitioner did not remit the estimated amount. Considering the safety aspects, to avoid electrical accidents, directions is given by the Executive Engineer, Electrical Division Attingal to provide strut pole on Board's fund, and the work was completed on 17/08/2023.

Further more, the licensee has no intention to trapping the petitioner in a police case, rather than to avoid electrical accidents in the premises of petitioner. The officials reached before the police station only to find a solution to this problem.

### **3. Analysis and Findings**

Hearing was conducted on 14/11/2023. Both the petitioner and respondent were present and heard the matter in detail. On examining the appeal petition, the arguments filed by the Petitioner, the statement of facts of the respondent, perusing the documents attached and considering all the facts and circumstances of the case, the Forum comes to the following findings and conclusions leading to the decision thereof

On going through the petition and other documents in the file, the Forum viewed that the case is with regard to take disciplinary action against the concerned officials of Licensee. Any complaint pertaining to disciplinary actions are not maintainable before CGRF as per clause 2 (1) (f) (VII) (1) of Kerala State Electricity Regulatory Commission (CGRF & Electricity ombudsman) Regulation 2005. As such this Forum is not empowered to take any disciplinary action against the officials of Licensee. Therefore, the Forum has not gone deep into the merit of other points

raised by petitioner. Since the petition is not maintainable in law for the reason that the subject matter is beyond the jurisdiction of this Forum. Hence the petition is dismissed.

#### **4. Decision**

(1).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.55/2023/344 Dated :30 /12/2023

Delivered to: 1. Sri. Sajeesh.S, Gouri, 25<sup>th</sup> Ward Kunnathu Lane ,  
G.H.S. Junction, Attingal.  
2. The Assistant Executive Engineer, Electrical Sub Division,  
Attingal.  
3. The Assistant Engineer, Electrical Section, Attingal.

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam,  
Thiruvananthapuram.
2. The Deputy Chief Engineer, Electrical Circle,  
Thiruvananthapuram.
3. The Executive Engineer, Electrical Division, Attingal.