

**VIDYUT OMBUDSMAN**  
**O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION**  
**4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004**

Present

**K.Sanjeeva Rao Naidu**  
Vidyut Ombudsman

**Dated 09 - 12 -2011**

**Appeal No. 43 of 2011**

Between

Sri Ch. Manohar, S/o.K. Sidda Raju  
Kaluva Palli (V), Parigi (M),  
Hindupur, Anantapur District

**..... Appellant**

And

1. Assistant Engineer/Operation/Parigi
2. Assistant Divisional Engineer/Operation/Rural/Hindupur
3. Divisional Engineer/Operation/Hindupur

**..... Respondents**

The appeal / representation is received on 04-07-2011 against the CGRF order of APCPDCL (in CG No.ATP-81/2011-12/Anantapur Circle dated 17-05-2011). The same has come up for hearing before the Vidyut Ombudsman on 16-11-2011. The appellant failed to attend before this authority and on behalf of respondents nobody appeared and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

**AWARD**

The Complainant filed a complaint before the Forum claiming that *“The 11 kV line is passing over his house, hay stock and cattle shed. Whenever there is high voltage, the electric bulbs in his premises get burnt out. Once, his T.V. was also burnt. Whenever, the branches of coconut tree falls on the power lines, the conductor is seen burning. This was informed to the higher authorities in the electricity department but no action has*

*been taken to shift the lines. Hence, requested the Forum to take necessary action to shift the power lines passing over his house and avoid hardship”*

2. No reply was received from the Respondents.

3. The complainant did not appear before the CGRF. The statement of the 2<sup>nd</sup> respondent was recorded by the Forum. After hearing the respondents and after verifying the records, the Forum passed the impugned order as here under:

“The complaint relates to the shifting of power line, which does not fall under the jurisdiction of the Forum. *The complaint is disposed off accordingly”.*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that the Forum has failed to consider that the line was installed after construction of his house and insisting to pay shifting charges is against to the procedure and the Forum has failed to consider that the complaint does not fall under the jurisdiction of the Forum.

5. Now, the point for consideration is, “whether the impugned order passed by the Forum is liable to be set aside? If so, on what grounds?”

6. The appellant failed to attend before the Forum and before this authority inspite of the notices served on him. The respondents also did not attend before this authority.

7. The Forum failed in observing that the shifting of line is not within the purview of the Forum, as it has ignored the fact that the appellant is a consumer and he has sustained loss on account of line passing over and above his house.

8. Furthermore, the respondent No.2 stated that they are prepared to shift the line provided the appellant is prepared to pay sum of Rs.60,000/- towards

shifting charges . When they are prepared to shift the line on receipt of shifting charges, there is no point in rejecting the request made by the appellant.

9. In the result, this appeal is allowed by setting aside the impugned order with a direction to shift the line on payment of Rs.60,000/- towards shifting charges. No order as to costs.

This order is corrected and signed on this day of 9<sup>th</sup> December 2011

**VIDYUT OMBUDSMAN**