



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA
First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: Smt. UDAYA GOURI

Friday the First Day of June 2018

Appeal No. 19 of 2018

Preferred against Order Dt. 31.01.2018 of CGRF
in CG.No.844/2017-18/Hyderabad South Circle

Between

Sri. Sankar Rao, #8/3 RT, Saidabad Colony, Hyderabad - 500 059.
Cell: 7396791117, 8008000236..

... Appellant

AND

1. The ADE/OP/Asmangadh/TSSPDCL/Hyderabad.
2. The DE/OP/Asmangadh/TSSPDCL/Hyderabad.
3. The SE/OP/Hyd.South Circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 19.03.2018, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 15.05.2018 at Hyderabad in the presence of Sri. K. Prabhakar and Sri. VVN. Satyanarayana - on behalf of the Appellant and Sri. R. Krishnaiah - ADE/OP/Asmangadh, Sri. B. Vijaya Bhaskar Reddy - DE/OP/Asmangadh for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

This is an Appeal filed by One Sankar Rao who is a resident of 8/3 RT along with others who are the residents of Street No.1, Lane No.1 of Saidabad Housing Board colony, Hyderabad seeking for removal of new HT line erected in their colony and objecting for erection of the HT line extending the supply to the residences beyond their colony boundary.

2. The contention of the Appellants is that though there were multiple options available to extend the HT line and the proximity to the existing LT line the Respondents refused to re align the HT line in spite of the same is likely to cause

danger to the nearby residents as such they have approached the CGRF against the erection of the HT line against the Respondents and inspite of the CGRF issuing orders “directing the Respondents to take up the above work of laying HT lines duly following the electricity supply act for proper clearances from the buildings as well as vertical/horizontal lines and report compliance along with satisfactory letter from the complainant,” the Respondents laid the said HT line against their interest and hence they have filed the present Appeal.

3. A perusal of the orders of the CGRF on the grievance of the Appellants herein shows that the said CGRF has given a dissenting view of the independent member as follows:

“The Respondents are directed to take up the above work i.e. lying of HT lines duly following the Electricity Supply Act for proper clearances from the buildings as well as vertical/horizontal lines clearances and shall file compliance report along with the satisfactory letter of the Complainant.”

The independent member of the Forum stated that the already existing LT line to the Residents of the said land existed long 45 years back. The new HT line were laid without the knowledge of the residents of the lane though they have not requested to the department. The so laid HT poles were erected closer to the existing LT poles and the Residents are afraid of this arrangement leading to endangering the lives of the Residents. Hence, stated that the Respondents may be directed to withdraw the line of HT supply line within an alternative place.

4. The Appellant contended that the Respondents showed utter disregard to the rules and regulations over the execution of the work and in contempt of the directions of the Chairperson, CGRF, colluded with the owner of the private party. That the officials over financial implication due to alternate lines has intended to complete the work as per the whims of the private property owner.

5. The Respondent No. 1 ADE/OP/Asmangadh vide Lr.No. 201 dt.24.04.2018 submitted the following:

Based on the complaint given he has inspected the premises on 06.12.2017 and stated the following:

“This 11KV HT line poles are erected to extend the supply to a newly constructed apartment which is sanctioned under capital works as per the departmental procedure and payments are made for Rs 1,87,817/- through DD No. 501944, ICICI Bank dt.26.09.2017 and closed in CSC Asmangadh through PR No.25102019573 dt.27.09.2017.

This apartment is constructed for living of 21 families with proper GHMC approval.

It is a 30 feet dead end street which is planned for laying of HT line for a distance of 5 spans on one side of the road as per the estimate sanctioned. There should not be any danger to lives by lying of HT line nearby LT line. While laying of line proper LT/HT clearances maintained with following Safety measures.”

6. Further added that as per the CGRF direction the site/location was again re-inspected and found that there is no alternative way except this previous estimated route. The other way to this newly constructed building is a Main Road from Chanchalguda to Saroornagar Mini Tank bund. Along this road towards the building site 3 Nos 33 KV lines are passing to feed 33/11 KV Chanchalguda and B quarters Substations. In this one is double circuit overhead line and another is UG cable which are already laid long back.

There is no feasibility to run 11 KV line and erection of DTR structure among these 33 KV lines. The already proposed line is suitable with 30 feet road and work completed with following all the safety measures, the vertical clearance of the line to buildings is more than 3.7 meters and the horizontal clearance is more than 1.2 meters as per Indian Electricity Supply Act.

Hence the work has been completed with following departmental procedures, safety measures and obeying the orders of Hon'ble CGRF-2 and denied that they have

acted in any manner against the Orders of the Hon'ble CGRF making them liable for contempt.

7. Hence in the face of the said contentions by both sides the following issues are framed:

1. Whether the laying of the HT line as contended by the Appellants is likely to jeopardise the safety of the residents of Saidabad Housing Board Colony?
2. Whether an alternate route for erection of HT 11 KV line is available for the Respondents yet the same was not considered by the Respondents?
3. To what relief?

Issue Nos. 1 & 2

8. A perusal of the Indian Electricity Rules show that all the overhead lines, equipments etc. must comply with the clearance limits published in the Indian Electricity Rules. And Indian Electricity Rules stipulates clearance above the ground of lowest conductor of an overhead line including service lines i.e.

I. Erected across a street shall at any part thereof be a height of less than-

- a. For low and medium voltage lines 5.8 metres
- b. For high voltage lines 6.1 metres

II. Erected along any street shall at any part thereof be at a height less than

- a. For low and medium voltage lines 5.5 metres
- b. For high voltage lines 5.8 metres

9. The above specifications it is clear that the new HT 11 KV line falls under the ambit of Low and medium voltage lines hence there shall be clearance of 5.8 metres across the street and 5.5 metres along the street and as such the Respondents have to invariably maintain such clearances and the reports submitted and oral submissions made by the Respondents clearly show that the Respondents have maintained all the safety clearances including vertical clearance to the building as the same is more than 3.7 metres and horizontal clearance is more than 1.2 metres as provided under Indian Supply Electricity Rules. The said reports of the Respondents further show that the Respondents also explored the enroute the HT line to other areas apart from the existing mainroad of Chanchalguda to Saroornagar Mini Tank Bund

and found that the same restricts the possibility of erecting the new HT 11 KV line due to the presence of double circuit overhead line and underground cable line.

10. The said submissions of the Respondents clearly show that the alternate route as claimed by the Appellant for erecting the new HT 11 KV line is not possible in view of double circuit overhead line and underground cable line. The Clause 4 of Regulation 4 of 2013 mandates the duty of Licensee to supply on request as follows:

“Every distribution Licensee shall, on receipt of an application from the Owner or occupier of any premises, give supply of electricity to such premises within the time specified in Sub-Clause (2) subject to payment of fees charges and security and the due fulfillment of other conditions to be satisfied by such owner or occupier of the premises”

Now admittedly the occupant of the newly constructed apartment providing accommodation for 21 families as per the permissions granted by GHMC, as sought for supply of electricity to his building and paid the required payment following the proper procedure. And as such the Respondent is bound to supply the required electricity supply to the said occupants of the newly constructed apartment and since there is no other alternative for the Respondents to supply the electricity, the Respondents after a thorough exploration have laid the new HT 11 KV line in spite of objections from the Appellant and the residents of Saidabad Housing Board Colony. The reports of the Respondents also show that they have followed all the required rules laid down for laying the HT lines while laying the same in the colony of the Appellant.

11. The Appellant though claimed that the safety of the colony residents is likely to be affected failed to support the said contentions by any material evidence and also failed to counter the submissions made by the Respondents with regarding to the existence of double circuit overhead line and the underground cable line on the route connecting the mainroad and the newly constructed apartment thus failed to show that any other route is available for laying of HT 11 KV lines to the new apartment.

12. Hence in the said circumstances it is concluded that the Respondents have not only maintained the stipulated clearances as required for the safety of the nearby

Residents of Saidabad Housing Board Colony but have also established that there is no alternate route available for them to erect new HT 11 KV line. Hence decides these issues against the Appellants.

13. In the result, the Appeal is herewith dismissed.

TYPED BY Clerk Computer Operator, Corrected, Signed and Pronounced by me on this the 1st day of June, 2018.

Sd/-

Vidyut Ombudsman

1. Sri. Sankar Rao, #8/3 RT, Saidabad Colony, Hyderabad - 500 059.

Cell: 7396791117, 8008000236.

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4. The SE/OP/Hyd.South Circle/TSSPDCL/Hyderabad

Copy to :

5. The Chairperson, CGRF, Greater Hyderabad Area, GTS Colony,
Vengal Rao Nagar, Erragadda, Hyderabad.

6. The Secretary, TSERC, 5th Floor Singareni Bhavan, Red Hills, Lakdikapul, Hyd.