



**BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA**

First Floor 33/11 kV Substation, Beside Hyderabad Boat Club  
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN  
VIDYUT OMBUDSMAN**

TUESDAY THE TENTH DAY OF JANUARY  
TWO THOUSAND AND TWENTY THREE

**Appeal No. 18 of 2022-23**

Between

Smt. Guduri Kalyani, H.No.11-61, Sarapaka(v), Burgampadu Mandal,  
Bhadradi Kothagudem District. Ph.No. 9866020501. ....**Appellant**

**AND**

1. The Assistant Engineer / Operation / Burgampadu - 9440811565.
2. The Assistant Divisional Engineer / Operation / Bhadrachalam - 9440811534.
3. The Divisional Engineer / Operation / Bhadrachalam - 9440811508.
4. Sri P. Kondiah, H.No.11-61, Sarapaka(v), Burgampadu Mandal, Bhadradi Kothagudem District, Ph No. 9866020501.

..... **Respondents**

This appeal is coming on before me for final hearing on 06.01.2023 in the presence of Sri Suman Raj, representative of the appellant, Sri T.Venu - ADE/OP/Bhadrachalam, representing the respondents and Sri P. Kondaiah - respondent No.4 in person and having stood over for consideration till this day, this Vidyut Ombudsman passed the following:-

**AWARD**

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - I (in short 'the Forum') of Telangana State Northern Power Distribution Company Limited (in short 'TSNPDCL') in C.G.No.135/2022-23, Kothagudem Circle dt.18.08.2022, closing the complaint.

## **CASE OF THE APPELLANT BEFORE THE FORUM**

2. The case of the appellant is that an existing pole, NMP-2049 was moved onto the road at her house in second street, Sarapaka village, Burgampadu Mandal, Kothagudem District, without proper inspection and without proper procedure. Respondent no.4 and his family members dug a new pit and also relocated the pole. When the appellant questioned about the shifting of the pole it was informed to her that the pole-pole span does not apply in rural areas. Therefore it is prayed to shift the pole from the middle of the premises of the houses of the appellant and respondent No.4.

## **REPLY OF THE RESPONDENT BEFORE THE FORUM**

3. In the written reply submitted by respondent No.1, it is stated that before shifting the pole proper procedure was followed and span length was maintained as required. The horizontal clearance between the LT line and house of the appellant is greater than 3 ft, i.e., 10 ft.

## **AWARD OF THE FORUM**

4. After considering the material on record and after hearing both sides, the learned Forum has closed the complaint.

5. Aggrieved by the Award passed by the learned Forum, the present appeal is preferred, contending among other things, that without proper enquiry the pole was shifted enabling respondent no.4 to park his car. Therefore it is prayed to do justice and take action against the respondent-employees.

## **WRITTEN SUBMISSION OF THE RESPONDENTS**

6. In the written submissions of respondent No.3, it is stated that by following the guidelines and the relevant rules the pole was shifted.

7. During the pendency of the present appeal respondent No.4 - Sri P.Kondaiah was impleaded in the appeal after allowing I.A No 1/2023.

8. It is argued on behalf of the appellant that since 25 years the electric pole was existing in old place; that without any reason and without consulting the appellant the pole was shifted towards her house only to help respondent No.4 to park his car; that the respondent- employees were acting without any responsibility and hence it is prayed to erect the pole where it was existing prior to 25.03.2022.

9. Heard the respondents 1 to 3 and respondent no.4.

## **POINTS**

10. The points that arise for consideration are:-

- i) Whether the pole is to be erected at the place where it existed prior to 25.03.2022?
- ii) Whether the impugned Award of the learned Forum is liable to be set aside? and
- ii) To what relief?

## **POINT No. (i) and (ii)**

## **ADMITTED FACTS**

11. It is an admitted fact that the appellant and respondent no.4 are neighbours in Sarapaka village. It is also an admitted fact that during the

pendency of the present appeal the pole was removed from the place existing between the houses of appellant and respondent no.4.

### **SETTLEMENT BY MUTUAL AGREEMENT**

12. Both the parties have appeared before this Authority on different dates. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put-forth their case and they were heard.

### **REASONS FOR DELAY IN DISPOSING OF THE APPEAL**

13. Since I took charge as Vidyut Ombudsman on 01.07.2022 and since there was no regular Vidyut Ombudsman earlier, the appeal was not disposed of within the prescribed period.

### **CRUX OF THE MATTER**

14. The respondent no.3 in his written reply before this Authority has stated that the distance between the pole to pole for LT network is 50 meters. According to him the subject pole was shifted as per the representation of respondent No.4 and he paid the necessary charges for shifting the pole from the middle of the premises of respondent No.4 to the corner of the same premises. These factors go to show that the respondent-officials have followed necessary guidelines while shifting the pole in this case. Though the appellant complained that the respondent officials have shifted the pole by accepting

money from respondent No.4, there is no, prima-facie, evidence before this Authority to that effect. The learned Forum has considered all the points raised by the appellant and closed the complaint properly. In view of these factors, I hold that the pole is not to be erected to the place where it existed prior to 25.03.2022. During the pendency of the appeal, as stated above, the pole was removed. Therefore that pole has to be erected at the place where it existed at the time of filing the present appeal. The impugned Award is not liable to be set-aside. These points are decided accordingly against the appellant and in favour of the respondents.

**POINT No. (iii)**

15. In view of the findings on point No. (i) and to (ii), the appeal is liable to be rejected.

**RESULT**

16. In the result, the appeal is rejected confirming the Award passed by the learned Forum. The respondent-officials are directed to re-erect the pole at the place where it existed as on the date of filing of the present appeal by collecting necessary charges from respondent No.4.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by the Private Secretary, corrected and pronounced by me on this the 10th day of January 2023.

Sd/-  
**Vidyut Ombudsman**

1. Smt. Guduri Kalyani, H.No.11-61, Sarapaka(v), Burgampadu Mandal, Bhadradi Kothagudem District. Ph.No. 9866020501.
2. The Assistant Engineer / Operation / Burgampadu - 9440811565.
3. The Assistant Divisional Engineer / Operation / Bhadrachalam - 9440811534.
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**Copy to**

6. The Chairperson, Consumer Grievances Redressal Forum of TSNPDCL- I, H.No.2-5-58, Opp: Head Post Office, Nakkalagutta, Hanamkonda, Warangal District, Pin code - 506001.

