

## **BEFORE THE VIDYUT OMBUDSMAN**

:: Present ::

**C. Ramakrishna**

Date: 10-06-2014

Appeal No. 10 of 2014-15

Between

Sri. U. Sangeetha Rao, Ward No. 3, Santhinagar, Jakkavari Veedhi, Chirala Post and Mandal, Prakasham Dt.

**... Appellant**

**And**

1. The Asst. Engineer, Operation, D-1, APSPDCL, Chirala, Prakasham Dt.
2. The Asst. Divisional Engineer, Operation, APSPDCL, Town, Chirala, Prakasham Dt.
3. The Divisional Engineer, Operation, APSPDCL, Chirala, Prakasham Dt.

**... Respondents**

The above appeal filed on 15-04-2014 has come up for final hearing before the Vidyut Ombudsman on 09-06-2014 at Ongole. The appellant, as well as respondents 1 to 3 above were present. Having considered the appeal, the written and oral submissions made by the appellant and the respondents, the Vidyut Ombudsman passed the following:

### **AWARD**

2. The appeal arose out of the grievance of the appellant that the CGRF had not considered his complaint favourably. The grievance of the appellant is that a transformer has been erected against public interest in the road margin and that it poses danger to the public lives.

3. The appellant stated in his appeal that he and a few others have been residing in Jakkavari Veedhi, Chirala for a long time; that a transformer was erected about 5 years ago against public interest in the road margin; that it had become dangerous to the public lives; that the several objections raised by him and others residing in that area were not considered by the DISCOM authorities; that hence he had to approach the CGRF and that in spite of his approaching the CGRF, his request was not considered favourably.

4. The respondents were issued a notice for hearing the appeal. The respondents did not file any written submission and preferred to argue the case with the material that was available with them. At the time of hearing, the appellant reiterated the same contention with the help of photographs which were filed before this authority. The appellant is running a prayer hall. In the photographs produced, a transformer is seen existing on the road margin. Its location cannot be stated to be exactly opposite the prayer hall being run by him. It is located in such a way that it abuts the prayer hall as well as the neighbouring empty site. The appellant's main grievance appears to be that its location is preventing the visitors to the prayer hall from conveniently parking their vehicles during their visits to the prayer hall. His contention is that the transformer poses life threat to the visitors coming to the prayer hall.

5. The respondents on their part contend that a transformer's location is decided based on the basic criteria that it should be as nearer to the load as possible and that once that has been fixed it becomes very difficult for them to relocate it. They stated that the fuses relating to the transformer are kept enclosed in a wire mesh box and that it does not pose any threat to any lives. They also expressed their concern that people in general want quality electricity to be supplied without poles and transformers being installed in the near vicinity of their homes or places of dwelling. They expressed their inability to relocate the transformer unless the appellant shows them a suitable alternate site and also bears the cost of transformer relocation.

6. In view of the divergent views taken by both the sides during the hearing, this authority proposed an alternative to both the parties. The alternative was that the transformer height be increased by retaining the location at the same place so that the appellant's fears -- whether or not they are correctly founded, can be addressed. The appellant did not consider this approach favourable to him and stuck to his guns that the transformer be relocated elsewhere at the cost of the DISCOM.

7. This authority finds that the approach of the appellant is not at all correct in this case. No individual can keep objecting to the location of the public utilities at places / sites over which he/she doesn't have a right in the first place. As regards their championing the cause of public lives etc., also, public authorities should be wary of busybodies like the present applicant trying to pass off their private agendas clothed in the guise of public interest. Though the appellant says that a few others also have objection to the location of the transformer, the complaint before the CGRF as well as the appeal before this

authority were signed by only one individual. Public authorities cannot show indulgence in such cases and waste tax payer's money just because an individual has perceived some life threat where none exists. As far as this authority can see from the photographs produced before it, the transformer doesn't pose any life threat to anybody, unless they open the fuse box and meddle with the wires therein -- a possibility that no public authority envisions to happen when erecting such public properties. Moreover, the appellant herein does not even fall within the definition of a complainant under clause 2(c) of Regulation 1 of 2004.

8. The CGRF correctly disposed of the complaint before it, by directing that if necessary charges for shifting of the transformer are paid and a suitable site for its relocation are shown, the request of the appellant herein can be considered by the respondents.

9. Therefore, the appeal is dismissed.

10. This order is corrected and signed on this 10<sup>th</sup> day of June, 2014.

**VIDYUT OMBUDSMAN**

**To**

1. Sri. U. Sangeetha Rao, Ward No. 3, Santhinagar, Jakkavari Veedhi, Chirala Post and Mandal, Prakasham Dt.
2. The Asst. Engineer, Operation, D-1, APSPDCL, Chirala, Prakasham Dt.

3. The Asst. Divisional Engineer, Operation, APSPDCL, Town, Chirala,  
Prakasham Dt.
4. The Divisional Engineer, Operation, APSPDCL, Chirala, Prakasham Dt.

**Copy to:**

5. The Chairperson, CGRF, APSPDCL, Behind Sreenivasa Kalyana Mandapam,  
Kesavayanagunta, Tirupati - 517 501.
6. The Secretary, APERC, 11-4-660, 5th Floor, Singareni Bhavan, Red Hills,  
Hyderabad - 500 004.