

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
PORT BLAIR

Before:

Shri. R. Ravichandar, Chairman,
Shri. Narayan Chandra Baroi, Member (Licensee)
Smt. Biji Thomas, Independent Member (JERC Nominated)

In the matter of:

Smti. B. Jeralt, W/o. S Britten, R/o Shore Point, Bamboo flat, South Andaman bearing Consumer No. R/1758.

....Complainant

Versus

The Electricity Department, A & N Administration, Port Blair.

.....Respondent

Complaint No. : ANI/CGRF/319/23-24/51 dated 02/02/2024.
Complaint : Shifting of HT line running over my house
Date of Hearing : 05/03/2024
Date of Order : 24/04/2024

ORDER

Background

The complainant Smti B. Jeralt, W/o Shri. S. Britten, R/o Shore Point, Ward No.1, Bambooflat, South Andaman filed a complaint vide R.D. No. 426 dated 02/02/2024 regarding HT line passing over my house and the electrical pole standing in a complete unstable and feeble condition at Shore Point, Ward No.1, Bambooflat is very dangerous and attributes a serious fear and threat to my life and property.

The complaint was forwarded on 22/2/2024 to the Assistant Engineer (W/shop), Nodal Officer (CGRF), Executive Engineer (SAD) and AE (Ferrargunj) who represent the Respondent (ED) for submitting reply/comments and for attending the Hearing fixed on 05/03/2024 at 10.30 AM in the hearing hall of the Electricity CGRF, A&N Islands, Horticulture Road, Haddo, Port Blair with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 05/03/2024 at 10.30 AM.

The Respondent on behalf of the License i.e. AE(F/Gunj), Electricity Department submitted vide letter No. EL/AE/FG/3-20/2023-24/517 dated



26/02/2024, wherein stated that this complaint is pertains to AE-III, which is kept in the case file (**Exbit.-1**).

Later, the AE-III, Prothrapur submitted his reply/para-wise comments on behalf of the Respondent/Licensee (ED) addressed to AE(W/shop) vide letter No. EL/PP/1-12/22-23/995 dated 04/03/2024, which is kept in the case file (**Exbit.-2**).

Hearing on 05/03/2024

The Hearing was held on 05/03/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Smti. B Jeralt, Complainant.
- (ii) Shri. Sheelan B, Asst. Complainant.
- (iii) Shri. Shivan B, Asst. Complainant
- (iv) Shri. Suresh Kumar, AE(W/shop), Nodal Officer, Elect. Dept.
- (v) Shri. E.P. Shanavaz, AE-III, Elect. Dept.
- (vi) Shri. Jayakumar, AE (Chouldhari), Elect. Dept.
- (vii) Smti. M. Panchawarnam, JE (Construction), Elect. Dept.
- (viii) Shri. Javed Sulaiman, Chargeman, Elect. Dept.
- (ix) Shri. P.K. Sharma, JE (Bambooflat), Elect. Dept.

Statement of the Complainant

The complainant Smti. B. Jeralt, W/o Shri. S. Britten, stated in her complaint letter dated 28/12/2023 that *"the High-Tension Electric line passing over my house and the electric pole standing in a complete unstable and feeble condition at Shore Point, Ward No. 1, Bambooflat is very dangerous and attributes a serious fear and threat to my life and property of the undersigned and others.*

Due to heavy rain and landslide during the year 2016 and 2020, (Letter copy enclosed) the electric poles were in unstable position and to witness that pathetic situation Police and APWD officials of Bambooflat visited the site and made temporary arrangements to prevent landslide for protecting the High-tension electric pole.

And for shifting the High Tension Electric Line passing over my house to a safe area myself raised a grievance in LG helpdesk in December 2022 (Letter copy enclosed), result of which the officials of Electricity Department inspected the site and shifted the height of the P1 and P2 tie line about 1.5 meter height from the roof of the house which is still unsafe and there is major chance of untoward incident at any time.



In view of the above facts, I request your kindness to take appropriate action to shift the High-tension P1 and P2 (33KV) tie line to the nearby vacant non-residential area to my house and is the permanent solution”.

The complainant submitted the photocopy of letters dated 02/06/2016, 22/7/2016, 24/09/2020 and 05/12/2022, Aadhaar as ID proof, electricity bill paid receipt and photographs of the site, which is kept in the case file (Exbt.-3).

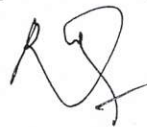
Reply of the Respondent/Licensee (ED)

The 33 KV Tie line calling Panther 1 & Panther 2 drawing in the year 2002-2003 feeding from Bambooflat Power Station to Garacharama Substation through which power is transmitting to supply the same to Port Blair and the surrounding area. Since, the above-mentioned year, the above tie lines are in operation. Few years ago the complainant raised a complaint to shift the tie lines. As per the complainant's representation, a verbal direction of the then Superintending Engineer, Electricity Department, the complaint was attended by way of shifting Tie line from disc position to pin position and developed the clearance to 2.5 meter (approx.) horizontally from the complainant house in order to maintain safety standards.

Forum's Observation

The Forum observed that the Respondent on behalf of the License i.e. AE(F/Gunj), Electricity Department filed his reply wide letter No. EL/AE/FG/3-20/2023-24/517 dated 26/02/2024 regarding matter pertains to the AE-III, and accordingly, the AE-III, Prothrapur forwarded a letter addressed to AE(W/shop) vide letter No. EL/PP/1-12/22-23/995 dated 04/03/2024 and the same letter forwarded by AE(W/shop) through whatsapp on 05/03/2024 at 9.45 AM before 45 minutes commencement of the Hearing. The Forum expressed displeasure to the Respondents by way of submitting the reply and delay in submission of reply in the affidavit format.

The complainant raised issue of shifting the existing 33 KV Tie line Panther1 and Panther2 passing over her house. The Respondent/Licensee (ED) stated that the line was constructed during 2002, feeding from Bambooflat Powerhouse to Garacharama Substation. It's a major tie line and supply to Port Blair and its surrounding area. As per the documents and photographs produced by the complainant the Forum observed that during 19.09.2020 due to heavy raining, the landslide near the pole and the pole was in dangerous condition in falling stage. After this incident the SHO, PS, Bambooflat visited the site and directed us to vacate the house immediately till the site shall be cleared. On the same day AE-III, Electricity Department, Prothrapur also visited the site and assured to shift the pole on immediate effect. In the next day morning workers of APWD, Bambooflat section came and made a temporary arrangement to prevent further landslide and protect



the electric pole. The same was witnessed by the Forum during our site visit on 13/02/2024 and on 29/02/2024. The pole near to the roadside is seemed to be in dangerous condition due to landslide in rainy season earlier. The temporary protection is provided with pipes and tin sheets to protect it from further landslide which causes damage to the pole. The Forum also noticed that during the inspection a new pole is seen inserted in the opposite side of the road to maintain a statutory clearance from the roof top of the building to the live conductor.

As per the statement of the complainant during the Hearing that the house was constructed in the year 2008 and later modified in 2010. The department has not given any statutory notice to the complainant till date, shows that there was a sufficient statutory clearance from the building to the live conductor after construction of the house. Due to the landslide on 19/9/2020 the department has made some temporary arrangements for protecting the existing line and inserted a new pole along the line route to maintain statutory clearance from the roof top of the building as per the standards. To maintain uninterrupted power supply and considering the importance of the tie line the department made temporary measures only for protecting the line on emergency basis. The Forum suggested to maintain statutory clearance between the roof top of the building to the live conductor on urgent basis. The Forum also directed the Respondent/Licensee (ED) to protect the H.T. double pipe poles ~~xxxxxx~~ on war foot basis and a proper retaining wall to be constructed to prevent further landslide during next rainy season. The Forum also suggested to the Respondent/Licensee(ED) to explore the possibility of shifting of the lines to the roadside or laying of UG cables under any new schemes of the Central Aided Project to avert any threat to human life and property and for easy access for maintenance of the lines by the department.

Hence,

It is Ordered:

After detailed deliberations, submissions, site inspection, discussion, and on the observations so reached, the following is passed: -

1. The Case No. 319 is hereby closed with specific direction to the Respondent/Licensee (ED).
2. The Respondent/Licensee (ED) is directed to submit the reply/para-wise comments in complete shape as per direction given by the Forum in future complaint, which has not been done in this instant case.



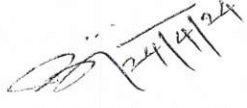
3. The Respondent/Licensee (ED) is directed to maintain the statutory clearance between the roof top of the building to the live conductor on urgent basis as per **Notification No. CEA-PS-16/1/2021-CEI Division dated 08/06/2023 (Measures relating to Safety and Electric Supply), Regulations, 2022.**
4. The Respondent/Licensee (ED) is directed to protect the H.T. double pipe poles ~~xxxxxx~~ footings on war footing basis and proper retaining wall to be constructed to prevent further land slide during next rainy season on safety measurement as per **Notification No. CEA-PS-16/1/2021-CEI Division dated 08/06/2023 (Measures relating to Safety and Electric Supply), Regulations, 2022.**
5. The Respondent/Licensee (ED) is directed to explore the possibility of shifting of the lines to the roadside or laying of UG cables under any new schemes of the Central Aided Projects to avert any threat to human life and property and for easy access for maintenance of the lines by the Department.
6. The Respondent/Licensee (ED) is directed to submit compliance report within 15 days from the date of issue of receipt of this order as per JERC Regulation No. 26/2019 under Clause 27(1). **Further, from Sl. No. 2 to 5 of the above said direction copy is also submit alongwith compliance.**
7. As per JERC Regulation No. 26/2019 under Chapter-IV of 27, non-compliance of the Forum Order shall be treated as violation of the Regulations of the Commission and accordingly liable for action under Section 142 of the Electricity Act 2003.
8. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right, by availing the redressal within his jurisdiction.

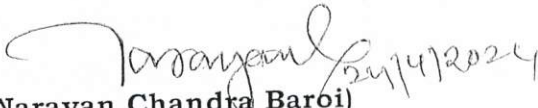
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot No. 55-56, Service Road, Udyog Vihar, Phase-IV, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684708, E-mail : ombudsman.jercuts@gov.in **within one month from the date of receipt of this order**".

[Annexure – IV Appeal Form can be collected from this Forum in any of the working days].



A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (SAD), Executive Engineer (HQ), Assistant Engineer (W/shop) Nodal Officer (CGRF), Assistant Engineer (F/G), Assistant Engineer (III), Assistant Engineer(IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).


(Biji Thomas)
Independent Member
Electricity CGRF


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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AE (IT)