

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Complaint filed by Shri A.S. Bisht, Dy. Commandant, Regional Head Office, Border Security Force, Bikaner with regard to routing of LT line, by UPCL, at a very low height passing through middle of the roof of the complainant's house located at Vasant Vihar Colony, Padampur Sukhro, Kotdwar, Distt. Pauri Garhwal.

Coram

Shri V.J. Talwar Chairman

Shri Anand Kumar Member

Date of Order: 31st August 2009

ORDER

1. A complaint was sent to the Commission by Shri A. S. Bisht, resident of Vasant Vihar colony, Padampur Sukhro, Kotdwar, Distt. Pauri Garhwal that for giving supply to another resident of his colony, UPCL has laid out LT line above his house. The complainant has stated that due to presence of this line he is unable to carry out construction activity at first floor and had to stop the work. In this regard, the complainant has stated to have written two letters to Executive Engineer, UPCL, Kotdwar with a request for shifting the line. The complainant has stated to have also met the concerned SDO and JE of the area in this regard. However, the said installation/line has remained as such and has not been shifted even after lapse of more than 3 months.
2. The matter has pointed out violation of the IE Rules, 1956 by the licensee both in terms of providing service line including apparatus on consumer's premises in safe

condition and failure to maintain proper safety clearances as per the rules. Also, no action seems to have been taken on the requests of consumer for shifting of line.

3. In this connection a Notice dated 12.08.2009 for Hearing was issued to Shri Mayur Dev Singh, UPCL, Kotdwar; Shri Zakir Hussain, SDO, UPCL, Kotdwar; Shri Kamal Singh, JE, UPCL, Kotdwar. The said persons appeared before the Commission on 29.08.2009. On enquiry from the Commission, during the course of the hearing, as to why service line has been laid out by the licensee over the house/land belonging to the complainant under such unsafe condition besides rendering obstruction for carrying out construction by the complainant. JE, UPCL informed the Commission that the service cable was laid out for giving connection, to one Shri Mahavir Singh Rawat, much before the construction of the house by the complainant. The Commission strongly objected to the contention of the JE and expressed that the licensee has been negligent in carrying out electrification work in accordance with the provisions of the Rules and by circumventing these Rules, provided service line over the vacant plot of the complainant for convenience of giving connection to some other consumer without laying any proper distribution mains in the residential area. SDO in his report has clearly brought out that height of service cable has been raised by complainant by putting a bamboo support and in absence of such support cable would lie on the terrace.
4. Even the Assistant Electrical inspector, Government of Uttarakhand in its report dated 29.08.2009 in the matter has held UPCL responsible for laying out service line in unsafe and unsecured manner causing even movement or carrying out any activity in the terrace dangerous. The relevant extract of the Assistant Electrical inspector report is reproduced below:

“1-नियम-30-यू0पी0सी0एल0 द्वारा श्री महाबीरसिंह रावत को दी गयी सर्विस केबल श्री ए0एस0बिष्ट के घर के ऊपर जाते समय पर्याप्त रूप से सुरक्षित दशा में सिक्क्यौर नहीं की गयी है। छत पर आवागमन एवं अन्य गतिविधियों से सर्विस केवल हिल कर असुरक्षित हो सकती है।”

5. Such adhoc electrification works including such unsafe practices followed by the licensee, for giving supply, amounts to violation of the Electricity Act, 2003 (Act) and the I.E. Rules.
6. On Enquiry from the Commission whether the said service line/cable has been shifted from the roof of the house of the complainant, it was informed by the concerned SDO, UPCL that the said service line/cable has yet not been shifted and is lying as such. The Commission has taken a strong exception in the matter **and directs the concerned employees/officers of the licensee to shift the service line within 15 days of the Order and thereafter submit a compliance report in the matter by 20.09.2009.**
7. The Commission would like to point out that this time it has taken a lenient view in the matter and has not imposed any fine/penalty on the concerned employees/officers of the licensee under the Act. However, the Commission would like to caution that in future if any such complaint is received against the licensee and is found to be true, the Commission would not hesitate in imposing penalty/fine on the concerned employees/officers of the licensee held responsible in the matter.

-Sd-

(Anand Kumar)
Member

-Sd-

(V.J. Talwar)
Chairman