

CONSUMER GRIEVANCE REDRESSAL FORUM – URBAN LEVEL

NOIDA POWER COMPANY LIMITED

GREATER NOIDA

COMPLAINT NO. UF/14/2024

IN THE MATTER OF:

SUKHRAM VARSHNEY

...COMPLAINANT

VERSUS

NOIDA POWER COMPANY LTD.

...OPPOSITE PARTY

Quorum:

1. Shri Jitendra Kumar Dhamat (Chairman)
2. Smt. Veenita Marathia (Independent Member)
3. Shri Mulendra Kumar Sharma (First Nominated Member)
4. Shri Satya Prakash Sharma (Second Nominated Member)



Appearance:

1. Shri Sukhram Varshney, Complainant
2. Shri Kapil Dev Sharma, Senior Manager (Legal) on behalf of Noida Power Company Limited

Judgement:

Date of Hearing: 23-01-2025

Date of Order: 10th MARCH 2025

Order Pronounced By: Smt. Veenita Marathia (Independent Member)

1. The instant Complaint was filed by Shri Sukhram Varshney a resident of house no. I-19, street no. 10 Brahmpuri Delhi-110053 (hereinafter referred to as “**the Complainant**”) under the UPERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2022.
2. The Complainant has filed the present Complaint against Noida Power Company Limited (hereinafter referred to as the “**Opposite Party**”) wherein the Complainant by way of his Complaint sought shifting of feeder pillar installed in front of his property (Plot No. F-252, Sector-02, Greater Noida) which according to him was arbitrarily

[Signature]

[Signature]

[Signature]

[Signature]

installed in his absence. The Complainant submitted that the feeder pillar installation should be moved to a more suitable location, such as the park-facing side of his plot or between adjacent plots, as is the case with other feeder pillars in the sector.

3. The Complainant further gave reference of the letters from Greater Noida Industrial Development Authority (hereinafter referred to as **GNIDA**) and the Opposite Party, in which GNIDA had directed both the Complainant and the Opposite Party to resolve the issue at their level. As a result of which the Opposite Party conducted a site survey and confirmed that the damaged feeder pillar had been reinstalled (Not newly erected) at the same location allocated by GNIDA. On the other hand, the Complainant asserted that no feeder pillar was ever present and had only been installed on 13th May 2024 and denied any claims of damage asserting that the feeder pillar in question never existed prior to its re-installation on the afore-mentioned date. The Complainant also questioned the evidentiary value of photographs provided to him by the Opposite party.
4. The Opposite Party submitted its reply on 13.09.2024 and stated that the feeder pillar was reinstated on the original plinth constructed by the Greater Noida Industrial Development Authority (GNIDA) as part of the electrification of Sector-02, which was completed during 2015-16. The Opposite Party provided photographic evidence supporting its claims that the pillar was re-installed in the same location as originally planned by GNIDA. The Opposite party has also placed on record the photographs of the feeder pillars establishing that the installation of feeder pillars in the middle of plot is subject to various conditions and restrictions like the pre-existing feeder pillar plinth, presence of sewer main holes, street lights etc. Further, relocating the pillar would require laying of additional Low Tension (LT) Cables and the creation of joints in the existing cables which is technically unsound and contrary to standard practices.
5. The Opposite Party has also clarified that relocating the pillar is technically difficult and would require substantial additional work. The Forum acknowledges the complainant's request for relocation. During the hearing, the Opposite Party proposed altering the positioning of the feeder pillar, specifically suggesting to alter the horizontally facing feeder pillar to a vertical position. However, the Complainant disagreed and insisted on moving the pillar to a different location.



Sharma

Verma

Sharma

Sharma

6. The Opposite Party has also requested via letter sent to the Complainant's neighbour, outlining the grievance of the Complainant to cooperate and find a potential solution amicably.
7. **This Forum has heard at length all the parties in this matter and the following issues arise for consideration before this Forum:**

After thoroughly reviewing the pleadings, relevant documents submitted by both parties, and the arguments presented, as well as considering the discussions above, this Forum makes the following observations:

This Forum finds that the feeder pillar was reinstated at the same location (Plot No. F-252, Sector-02, Greater Noida) as originally planned by GNIDA. The photographs of the original plinth submitted by the Opposite Party are duly considered and cannot be disregarded. Therefore, no error or arbitrary action is found on the part of the Opposite Party in this regard. The photographic evidence substantiates that the installation aligns with the original plan of GNIDA.

This Forum has further gone through the photographs submitted by the Complainant and finds that it fails to establish a convincing argument as to why the positioning of the feeder pillars should be uniform between the boundaries of two plots. This Forum concurs with the explanation provided by the Opposite Party that the construction of feeder pillars is subject to several factors, including the pre-existing plinths constructed by GNIDA, the presence of sewer manholes, streetlights and other utility mainholes between plot boundaries. Hence, the construction of feeder pillars directly between plots is not always possible.

This Forum finds that the present Complaint is not tenable, however the parties are open to arrive at an amicable solution considering the grievance of the Complainant this Forum suggests the Opposite Party to relocate the feeder pillar of the Complainant to an appropriate position along the cable route, at a location that is technically feasible, provided that the Complainant ensures the necessary right of way for the same. The Complainant shall be solely responsible for all costs associated with the relocation process, including any necessary technical work as required by the Opposite Party. Furthermore, it is expressly clarified that if the Complainant fails to



[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

provide the right of way and an appropriate location to the Opposite Party, the Opposite Party shall not be held liable for any non-compliance of this order.

The Complainant, if aggrieved, by non-redressal of his grievance by the Forum may make a representation/appeal against this order, before the Company Level/Hon'ble Electricity Ombudsman, Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 within one month from the date of receipt of this order.

The complaint is disposed of in the aforesaid manner.

Jitender Kumar Dhamat
(Chairman)

Veenita Marathia
(Independent Member)

Mulendra Kumar Sharma
(First Nominated Member)

Satya Prakash Sharma
(Second Nominated Member)

