

**BEFORE THE ELECTRICITY OMBUDSMAN**

**(For the State of Goa and Union Territories)**

**Under Section 42 (6) of the Electricity Act, 2003**

3<sup>rd</sup> Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18

Gurugram (Haryana) 122015,

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Appeal No-284 of 2026

Date of Hearing:

Mode: Videoconferencing

Date of Order: 02.09.2026

In the matter of

Mr. G. Arumugam,

No. 16, First Cross Street,

Mutharaiyarpalayam, Puducherry.

...Appellant

Versus

Executive Engineer, Rural (North),

Electricity Department,

Puducherry.

Assistant Engineer-Sedharapet,

Electricity Department,

Puducherry.

...Respondent(s)

**In the matter of Mr. G. Arumugam, Versus Electricity Department, Puducherry.**



## ORDER

The present Representation has been filed by the Appellant/Complainant on 27.07.2026 under Section 42(6) of the Electricity Act, 2003 read with Regulations 35 and 36 of the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2024 (hereinafter referred to as the "JERC CGRF & Ombudsman Regulations, 2024"), assailing the order dated 22.06.2026 passed by the Learned Consumer Grievance Redressal Forum, Puducherry (hereinafter referred to as the "CGRF") in Case No. PDY/CG 16/2026.

Upon scrutiny of the Representation and the accompanying documents, this Office was satisfied that the Representation fulfilled the requirements prescribed under the applicable Regulations. Accordingly, the Representation was admitted as Case No. 284 of 2026, and notice dated 06.08.2026 was issued to the Respondent. A copy of the Representation was forwarded to the Executive Engineer, Rural (North), Electricity Department, Puducherry, calling upon the Respondent to submit its reply/comments.

During the pendency of the present proceedings, the Respondent, through the Executive Engineer, Rural (North), informed this Office vide email dated **20.08.2026** that a discussion had been held with the Appellant/Complainant on **20.08.2026 at 11:00 A.M.** in the chamber of the Executive Engineer, Rural (North), concerning the grievance relating to the existing LT line, including the issue of clearance required for the free movement of agricultural machinery.

It has been reported that during the said discussion, the Appellant/Complainant agreed to the proposal for erection of a middle pole and replacement of the existing ACSR conductor with a new AB Conductor, subject to technical feasibility and compliance with the applicable departmental procedures. The proposed work is intended to restrain the low-lying conductor and thereby maintain the required vertical clearance for the free movement of agricultural machinery.

It has further been reported that the Appellant/Complainant agreed to discuss the possibility of rerouting/shifting of the existing LT line through an alternative route with the neighbouring landowners.

The Respondent has stated that it would arrange a discussion with the concerned neighbouring landowners at the Departmental office and, if considered necessary, at the site, for examining the feasibility of the alternative route and for obtaining the requisite consent for erection of poles and lines along or near the boundary/land of the neighbouring landowners.

It has also been clarified by the Respondent that, in the event the neighbouring landowners agree to the proposed rerouting and the alternative route is found technically feasible, the Department shall take necessary action for shifting/rerouting of the LT line in accordance with the applicable rules and departmental procedure.





The aforesaid discussion was attended by the Executive Engineer, Rural North O&M, Assistant Engineer, Sedharapet SS, and Junior Engineer, Ramanathapuram O&M, along with the Appellant/Complainant.

The Respondent has placed the aforesaid developments on record with the stated objective of resolving the grievance amicably and finding a practical and technically feasible solution. The Appellant/Complainant has, as reported, agreed to the immediate proposal for provision of a middle pole and replacement of the existing ACSR conductor with a new AB Conductor and has also agreed to facilitate discussions with the neighbouring landowners for the possibility of rerouting of the LT line.

This Office has considered the Representation, the material available on record and, in particular, the subsequent developments communicated by the Respondent vide email dated 20.08.2026.

The principal purpose of the grievance redressal mechanism contemplated under Section 42(6) of the Electricity Act, 2003 and the JERC CGRF & Ombudsman Regulations, 2024 is to provide an effective, expeditious and meaningful mechanism for resolution of consumer grievances. Where, during the pendency of proceedings before the Ombudsman, the parties arrive at a mutually acceptable course of action capable of addressing the underlying grievance, the same ought to be encouraged, provided that such resolution is not contrary to law, applicable Regulations, safety requirements or the legitimate interests of third parties.

In the present matter, the course of action placed on record appears to provide a practical mechanism for addressing the immediate grievance concerning the low-lying LT conductor and the clearance required for the movement of agricultural machinery.

The proposed erection of a middle pole and replacement of the existing ACSR conductor with AB Conductor, subject to technical feasibility and applicable departmental procedures, is intended to improve the vertical clearance of the conductor. The proposal for examining an alternative route for the LT line is, however, dependent upon factors which may be beyond the unilateral control of the Respondent, including the consent/cooperation of the affected neighbouring landowners and technical feasibility of the proposed route.

In this regard, Clause 5.54 of the JERC Electricity Supply Code Regulations, 2018 is relevant. The said provision recognizes that the Licensee cannot be held responsible for delay in extending supply where such delay arises on account of issues relating to right of way, acquisition of land or delay in fulfilment of consumer obligations over which the Licensee has no reasonable control.

The aforesaid provision, however, cannot be construed as dispensing with the obligation of the Licensee/Respondent to make reasonable efforts to examine and facilitate a technically feasible solution. Equally, the consumer cannot be required to secure rights over land belonging to third parties without their consent or lawful authority.



Therefore, this Authority is of the considered view that the course of action presently agreed upon by the parties strikes a reasonable balance between the grievance of the Appellant/Complainant, the technical requirements of the distribution system and the rights of the neighbouring landowners. Since the parties have, during the pendency of the present proceedings, arrived at an agreed course of action which substantially addresses the grievance, this Office considers it unnecessary, at this stage, to enter into a detailed adjudication upon each of the grounds raised in the Representation against the order dated 22.06.2026.

It is clarified that the present disposal is founded upon the agreed course of action recorded during the pendency of the proceedings and shall not be construed as an adjudication or declaration that any party has an unfettered right to rerouting/shifting of an LT line irrespective of technical feasibility, safety requirements, right-of-way considerations, consent of affected landowners or applicable statutory and departmental requirements.

#### Directions

In view of the foregoing, and with the consent/agreement of the parties as placed on record, the present Representation is disposed of with the following directions:

##### A. Immediate technical measure

The Respondent, Executive Engineer, Rural (North), Electricity Department, Puducherry, shall examine and, subject to technical feasibility and applicable departmental procedure, take necessary steps for:

- a. erection of a middle pole at the appropriate location; and
  - b. replacement of the existing ACSR conductor with a suitable AB Conductor,
- so as to restrain the low-lying conductor and maintain the required vertical clearance for safe and unobstructed movement of agricultural machinery.

##### B. Examination of alternative route

The Respondent shall coordinate with the Appellant/Complainant and the concerned neighbouring landowners for examining the feasibility of an alternative route for rerouting/shifting of the existing LT line.

The Respondent may convene a meeting with the concerned neighbouring landowners at the Departmental office and, wherever considered necessary, conduct a joint site inspection to examine the feasibility of the proposed alternative route.

In case the neighbouring landowners provide the requisite consent and the proposed alternative route is found technically feasible and otherwise permissible under the applicable rules, the Respondent shall process and undertake the shifting/rerouting of the LT line in accordance with the applicable statutory provisions, JERC Regulations, Supply Code and departmental procedure.





C. Cooperation by the Appellant/Complainant

The Appellant/Complainant shall extend necessary cooperation to the Respondent for implementation of the above course of action and shall, to the extent reasonably possible, facilitate discussions with the concerned neighbouring landowners regarding the proposed alternative route.

Nothing contained in this Order shall be construed as conferring upon the Appellant/Complainant any right over the property of neighbouring landowners or as dispensing with any consent, right of way, statutory permission or other legal requirement necessary for rerouting/shifting of the LT line.

D. Compliance with technical and safety requirements

All works shall be carried out in accordance with the applicable technical standards, safety requirements, JERC Regulations, Electricity Supply Code and the established departmental procedure.

The Respondent shall ensure that the proposed immediate remedial work and any subsequent shifting/rerouting of the LT line do not compromise the safety, reliability or operational integrity of the distribution network.

E. Effect on the impugned order

In view of the subsequent developments and the agreed course of action recorded during the pendency of the present Representation, the grievance forming the subject matter of the present proceedings is being disposed of in terms of the above directions.

Accordingly, the challenge to the order dated 22.06.2026 passed by the Learned CGRF, Puducherry in Case No. GPDY/CG 16/2026, is disposed of in the aforesaid terms. The impugned order shall stand modified to the limited extent necessary to give effect to the present Order and the agreed course of action recorded herein.

It is made clear that if the proposed rerouting cannot be implemented solely because the requisite consent of the neighbouring landowners is not forthcoming, or because the alternative route is found technically infeasible or otherwise impermissible under law, such inability shall not by itself constitute non-compliance with this Order, provided that the Respondent has made reasonable and bona fide efforts to examine the proposed alternative.

However, if any issue arises regarding implementation of the immediate remedial measure of the middle pole and replacement of the ACSR conductor with AB Conductor, the parties shall first approach the concerned field authorities for resolution in accordance with the applicable departmental procedure.



F. Final directions and disposal

The Respondent is directed to proceed with the course of action recorded herein expeditiously and in accordance with technical feasibility, safety requirements and applicable rules and procedures.

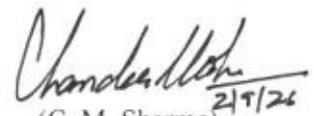
The parties are expected to cooperate with each other in good faith so that the grievance concerning the clearance of the LT line and the movement of agricultural machinery is resolved at the earliest possible opportunity.

Nothing contained in this Order shall prevent the Appellant/Complainant from availing such further remedy as may be available under law in the event of any subsequent cause of action arising from non-compliance with the present directions or from a fresh and distinct grievance, subject to the applicable statutory and regulatory framework.

The present Representation, being Case No. 284 of 2026, is accordingly disposed of in the above terms.

There shall be no order as to costs.

**Pronounced on this 2<sup>nd</sup> day of September, 2026.**

  
(C. M. Sharma) 21/9/26

Dated 02.09.2026

Ombudsman (JERC)