

BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES
OF SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED
TIRUPATI

This the 5th day of March 2013

C.G.No:296/2012-13/Guntur Circle

Present

Sri K. Paul
Sri A.Venugopal
Sri T.Rajeswara Rao
(Vacant)

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri. Kallam Sambireddy
C/o Mukkanti Reddy & Others
Kothapalem Village., Nutakki Post
Mangalagiri Mandal,
Guntur-Dist-522303.

Complainant

And

1. Assistant Engineer/Operation/Rurals/Mangalagiri
2. Assistant Divisional Engineer/Operation/Mangalagiri
3. Divisional Engineer/Operation/Town-2/Guntur
4. Superintending Engineer/Operation/Guntur

Respondents

Sri. Kallam Sambireddy, C/o Mukkanti Reddy & Others residents of Kothapalem Village., Nutakki Post Mangalagiri Mandal, Guntur-Dist-522303. herein called the complainants, in their complaint dt:08-01-2013 filed in the Forum on dt:05-01-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 have stated that

1. They are the consumers under SS-5 transformer of Kothapalem village of Mangalgiri mandal in Guntur-Dist.
2. The distribution transformer near the agl. fields of one Bharatha Reddy was stolen away and the AE/Mangalagiri reported that the

transformer was not replaced due to non registering of case in the Mangalagiri police station.

3. The AE also reported that they have identified that there is a necessity of two numbers 25KVA transformers in addition to the existing that the estimate was not sanctioned by the higher authorities and there is no progress in the work.
4. Requested to provide additional transformers to over come the over loading of transformers.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondents-1 i.e. the Assistant Engineer/Operation/Rurals/Mangalagiri in his written submission dt:18-01-2013, received in this office on 29-01-2013 stated that:

1. The declaration of his predecessor and office records available in the section office it is understood that 01 no improvement estimate was sanctioned and work order was issued to Sri. Guru. Kishore Ex- AAE/O/R/MGL and the line work was completed and due to his transfer the same was handed over to N.Venkateswara Rao, Ex- AAE/O/R/MGL with an application to balance work order. Due to SAP 4.7 version the balance work order was not issued. Hence the work could not be completed.
2. On 13-10-2011, the estimate proposal for erection of 02 nos. additional 25KVA DTRs were proposed to give load relief to SS-5 Nutakki (V) T&D improvement works. The same was submitted to higher authorities vide letter dt:13-10-2011 under WBS element No: T-2011-02-06-11-03-001. The estimate is yet to be sanctioned.

3. The transformer situated in the fields of Jaibarath Reddy, S/o. Pitichi Reddy SS-103 and the DTR situated in the fields of Sri. Annapureddy, Pithi reddy, S/o Satyanarayana reddy, got theft on 20-01-2011.
4. The complaint was lodged at the SHO, Rural PS Mangalagiri under letter dt: 21-01-2011, but the addressed officer has refused to give the FIR as well as acknowledgement of receipt of concerned letter. Due to lack of FIR copy or acknowledgment of complaint, the estimate was not sanctioned.
5. As per the letter dt:31-12-2012. the estimate proposal for replacement of theft DTR was resubmitted to the higher authorities.
6. This is also submitted that the no agriculture service was released on SS-5, Nutakki (village) till date from January 2012.
7. My Predecessor Sri. N.Venkateswara Rao, Ex-AAE/O/R/MGL and Sri. N.Naga Malleswara Rao, Ex I/C AAE/O/R/MGL have stated that the low voltage problem may be occurred due to lengthy LT circuit and deterioration in the conductor due to ageing.

Findings of the Forum:

1. The grievance of the complainant is that one number distribution transformer at SS-5 of Nutakki village in Mangalagiri mandal from which they are availing supply was stolen away by some unknown on 20-01-2011 and is not replaced so far resulting in over loading of the transformers and requested for erection of two numbers 25KVA transformers additionally as were already proposed.
2. The respondent-1 i.e. the AE/Opn/Ruarl/Mangalagiri reported that :-

- a. the proposal for erection of two numbers 25KVA transformers in addition to the 63KVA (as per 11KV lay out) existing to give load relief and the same is pending sanction with the higher authorities.
 - b. It is not the SS-5 under gone theft, but it is SS-103 situated in the fields of Jayabharath reddy on 20-01-2011 for which the SHO rural PS Mangalagiri refused to give the FIR because of which the sanction of estimate was held up.
 - c. No agl. service was released on SS-5 Nutakki till to date from January 2012, but accepted that the probable low voltage problem is on account of lengthy LT circuit and ageing of the conductor.
3. As reported by the respondents it is construed that they duly accepting the low voltage problem under SS-5 have proposed for erection of 2 numbers additional 25KVAttransformers to give load relief in January 2011 itself, but the same is not completed even after a lapse of two years period for which the respondents have to compensate the complainants @ Rs.50/- to each consumer effected counting the days from 13-10-2011 till the date of commissioning of the transformers duly allowing a period of 120 days.
4. The respondents reporting that they could not replace the transformers at SS-103 due to non registering of the case by the area police is not correct as per the provisions given by the honourable APERC in the form of directive No: 16 communicated through tariff order for the year 2010-11 wherein it was stipulated that the DTRs under gone theft shall be replaced within 48 hrs in rural areas on par with the failed DTRs and the responsibility of the consumer seizes by

informing the service team of the DISCOMS and the licensee shall take steps.

5. As such the respondents failed in replacing the stolen DTR which is violation of the directive of the honourable APERC which attracts the provisions of compensation to the consumers effected for non replacement of the stolen DTR @ Rs.50/- for each day of delay, the days counted from the date of intimation by the consumer to the respondents and till the date of its replacement.
6. Here in this case the theft report was given on 21-01-2011 as could be seen from the letter addressed by the ADE/Opn/Rural/Mangalagiri and hence the days are to be counted from 21-01-2011 till the date of its replacement.

In view of the above, the Forum passed the following order.

ORDER

The respondents are directed that they

1. Shall replace the stolen DTR at SS-103 not later by 31-03-2013.
2. Shall commission the proposed 2 numbers 25KVA DTRs under SS-5 Nutakki not later by 31-03-2013 to over come the low voltage problem.
3. Shall remit an amount equal to the multiplication of the number of days counted from 13-10-2011 to the date of commissioning of the transformers with Rs.50/- duly allowing a period of 120 days to each consumer effected not later by 05-04-2013.
4. Shall report compliance by 10-04-2013 on the item 1 and 2 above of the order.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on the 5th day of March 2013.

Sd/-
Member (Legal)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.