

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

This the 27th day of February 2013

C.G.No:297/2012-13/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 Sreenivasa Reddy and 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 Sreenivasa Reddy and Others resident of Kothapalem Village., Nutakki Post Mangalagiri Mandal, Guntur-Dist-522303. herein called the complainant, in his complaint dt:08-01-2013 filed in the Forum on dt:08-01-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. They are agl.. Consumers under SS-5 of Kothapalem sivar, Nutakki village in Mangalagiri Rural area of Guntur-dist .
2. In the SS-1 transformer in Kothapalem area is of 63 KVA capacity as learnt from the electricity officials and there are 38 numbers agl connections on the transformer.

3. Due to the above the transformer is over loaded resulting in burning of wires and blades which were subsequently replaced by the officials with the cooperation of the farmers.
4. In October 2012 the electricity officers divided the consumers under the transformers into two groups and instructed each group to utilize power in alternative days such that the transformer is not over loaded, because of the above arrangement they sustain crop loss.
5. In the recent also the sparks are being observed at the AB switch blades, but the officials released further new services on the same transformer in the summer of 2012 resulting in low voltage and improper functioning of the motors. Requested to erect one more additional transformer to solve the problem.
6. The loads of about 13 services under SS-5 transformer which was under gone theft were tagged on to SS-2 transformer which is of 63 KVA of capacity and is having about 40 services resulted in low voltage and burning of motors.
7. Requested to provide additional transformer under SS-2 also duly considering the loads.

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 to submit that the SS-01 Kothapalem village is 63 KVA DTR having 36 Nos.

2. The transformer had under gone minor repair due to internal failure of 01 winding coil during October/2012. The SPM mobile team had attended the transformer immediately as it is a minor repair.
3. During that period i.e. for 02 days to avoid the failure of transformer the Agl pumps are kept under running on rotation basis for those two days. During that period one no bushing road and AB switch female contacts were also replaced during the maintenance work and it is un true that any amount was collected, it is a mere blame.
4. Regarding SS-2, the estimate proposal for erection of 02 nos additional 25KVA DTRs were proposed to give load relief to SS-5 Nutakki village under T&D improvement works. The same was submitted to higher authorities vide letter dt: 13-10-2011 under element No:T:2011-02-06-11-03-001. The estimate is yet be sanctioned.
5. 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, Pichi reddy, S/o Satyanarayana Reddy were got theft on 20-01-2011. The complaint was lodged at the SHO, Rural PS Mangalagiri under vide letter dt: 21-01-2011. But the addressed officer has refused to give the FIR as well as acknowledgment of receipt of concerned letter. Due to lack of FIR copy or acknowledgement of complaint, the estimate is not yet sanctioned.
6. On 31-12-2012 the estimate proposal for replacement of theft DTR was re submitted to the higher authorities.

Findings of the Forum:

1. The grievance of the complainants is that they are suffering with low voltage at two locations i.e. SS-1 and 2 of nutakki village resulting in

damage to their motors of agl. due to over loading of the transformers by release of additional services and also tagging of the loads of one transformer under gone theft. Requested for erection of additional transformers as per the load requirement and relieve them from the problem of low voltage and crop loss.

2. The respondents reported that
 - i. There are one 36 Numbers services on the 63 KVA SS-1 Kothapalem transformer.
 - ii. During October 2012 there was minor repair to the above said transformer which was attended by the SPM mobile team immediately.
 - iii. It is only for two days the said arrangement of dividing the consumers into two batches till the said transformer was repaired and to avoid further damage to the transformer in the field itself as the repair is of minor nature.
 - iv. It is not true that amounts were collected from the farmers to replace the AB switch female contacts and also the bushing rods. The estimate for erection of two numbers 25KVA transformers under SS-5 Nutakki is yet to be sanctioned the said delay in providing transformer in place of theft one is due to non issue of FIR by the police authorities.
3. As could be seen from the sketches submitted by the respondent-1 i.e. the AE/OPn/R/Mangalagiri, it is noticed that
 - i. There is about 103HP of agl. loads on the SS-1 Kothapalem transformer which is a 63 KVA capacity and hence it is over loaded

by about 40HP and requires additional transformer to suit the loads by erection of 2 numbers 25 KVA transformers.

ii. In case of SS-2 Kothapalem which is also a 63 KVA transformer the existing load is of the order of 109 HP which is also over loading of the transformer by 46 HP requires erection of additional transformers to that effect.

4. In both the cases above there is a clear over loading of the transformers and requires to provide additional transformers to safeguard the interest of the department as well as the consumers by avoiding failure of distribution transformer and the resultant crop failure.
5. The respondents are supposed to replace a theft transformer within 2 days in rural areas upon the receipt of information from the consumers and a directive was ordered by the Honourable APERC as directive number 16 communicated vide tariff order 2010-11.
6. It appears that the respondents are ignorant of the above said directive which is a violation of the same attracts provisions of punishments for non implementation of the directives under section 142 of the Electricity Act 2003 as there is no excuse for ignorance of law.
7. It appears that there is initiative and response from the respondents 1, 2 and 3 where as it is found lacking in respect of the respondent-4 i.e. the SE/Opn/Guntur delaying the relevant sanctions.
8. It is not understood how the respondents are going on adding loads to the transformers indiscriminately violating the technical parameters

which are to be strictly adhere to safe guard the network and the equipment.

9. It is construed that there is motivated negligence in the inaction of the higher authorities competent to sanction the estimates resulting in crop loss to the farmers and more over the information that was sought by the consumers regarding the total connected loads on each transformer is also not replied for indicates violation of the information act 2005.
10. As such the respondents shall install and commission the transformers of suitable capacity not later by 31-03-2013.
11. They are liable to compensate the complainants at the rate of Rs.50/- to each consumer effected per day by counting the days from 13-10-2011, the date of proposing the additional transformers to 31-03-2013 (535 days) duly allowing 120 days of reasonable time in accordance with the Guaranteed Standards of Performance. The total delay caused in resolving the problem of low voltage is $535-120 = 415$ days.
12. The amount of compensation is $Rs.50/- \times 415 = 20,750/-$ payable to each consumer effected.

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

ORDER

The respondents are directed that they

1. Shall resolve the problem of low voltage by 31-03-2013 at the two locations of SS-1 and SS-2 mentioned by the consumers.
2. Shall remit the amount of Rs.20,750/- to each consumer effected under the above two transformers not later by 15-04-2013.

3. Shall report compliance on the items 1 and 2 above of the above order by 21-04-2013.

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 27th day of February 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.