

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

On this the 21st day of September 2013

In C.G.No: 111/ 2013-14/Tirupati Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Satish Kumar

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

Between

Sri. Shaik Ajamath Complainant
C/o Khadar Peera
DNo:10-192-20, Bkothakota Village, Post & mandal,
Chittoor-Dist-517370

And

1. Assistant Engineer/Operation/ B.Kothakota Respondents
2. Assistant Divisional Engineer/Operation/Rurals-2/Madanapalli
3. Chief General Manager/Operation/APSPDCL/Tirupati
4. Divisional Engineer/Operation/Madanapalli
5. Superintending Engineer/Operation/Tirupati

Sri. Shaik Ajamath, C/o Khadar Peera, resident of DNo:10-192-20, B.Kothakota Village, Post & mandal, Chittoor-Dist-517370 herein called the complainant, in his complaint dt:08-07-2013 filed in the Forum on dt:08-07-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 has stated that

1. He is an agl. consumer with SCNos:423 and 3162 at B.Kothakota village and Mandal of Chittoor-Dist.
2. The transformer feeding the above services was damaged by unknown on 03-06-2013 and the matter was reported to the AE and also made a complaint in the police station on 04-06-2013, but there is no response

though pursued and requested several times was not cared for and abused by the respondents.

3. Because of the non providing of the transformer he could not start cultivation though there is ample of water availability resulting in financial loss for which the electricity officers are responsible.
4. Requested to order the respondents to provide a new transformer in place of the stolen one besides arranging compensation from the officers for the loss sustained by him in the matter.

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

The respondents 1, 2 and 4 i.e. the Assistant Engineer/Operation/B.Kothakota, the Assistant Divisional Engineer/Operation/Rurals-2/Madanapalli and the Divisional Engineer/Operation/Madanapalli in their combined written submissions dt: NIL, received in this office on 22-07-2013 stated that:

1. It is true that the complainant is having 2 No. ASCs being ASC No. 423 & 3162 in B.Kotakota distribution to which a separate 3ph 16 K V A Dist. transformer was erected for providing electric supply.
2. Further it is also true that the winding wire in the existing 3 Ph 16 K V A DIST. TRANSFORMER of the complainant agricultural services was stolen by the unknown culprits in the late night of 03-06-2013. Then on 04-06-2013, the location of stolen 3 Ph 16KVA Dist. transformer was inspected by Addl. Asst. Engineer/Opn/ B. Kothakota and informed to the Station House Officer, Police Station, B.Kothakota for registration of the case to find out the culprits to recover the damages. The complainant has also gives complaint in writing to the police authorities on 04-06-2013 in addition to the Section Officer.

3. Later on the complainant has approached to the section officer to arrange healthy 3 Ph 16KVA Dist. transformer in place of stolen one immediately as the complainant has drilled a new bore well recently and interested to raise crops, earlier to which there were no standing crops due to lack of water. Then the section officer has replied to the complaint that the existing rolling stock of Dist. transformers were already issued to the Dist. Transformers.
4. where the thefts were happened during the previous week, at which locations there were standing crops existing so as to save the crops and advised the complainant to wait until the case is registered at police station for the stolen Dist. transformers.
5. Due to non-registration of case and issue of crime number to the stolen Dist. transformers it was again addressed to the Station House Officer, Police Station, B.Kothakota on 02-07-2013 for arranging the same on priority to solve the consumer problems. But the crime numbers are still awaited.
6. However as per the directions of higher authorities the healthy 3 PH 16 K V A Dist.transformer was erected in the place of stolen DIST. TRANSFORMER and charged on 12- 07-2013.
7. In this context we humbly submit that there was no intentional delay for replacing the stolen Dist. transformer of the complainant as there was no standing crops raised by the complainant and as the existing rolling stock Dist. Transformers were already utilized for replacing the stolen Dist. transformers to save the standing crops there. The crime numbers for already replaced stolen Dist. transformers are still awaited from Police authorities including the Dist. transformer of the complainant.

Findings of the Forum:

1. The grievance of the complainant is that the transformer providing supply to the complainants service was damaged by unknown miscreants on the night of 03-06-2013 and the respondents instead of taking initiative to replace the transformer, abused him with careless replies and finally made him to suffer financially for he could not cultivate his land though there is availability ample water.
2. Requested to order the respondents to provide a healthy transformer in place of the damaged one besides arranging compensation from the officers for the loss sustained by him.
3. The respondents 1, 2 and 4 in their combined reply stated that the aid two numbers AGL. services of the complainant are being fed from a 16KVA distribution transformer the winding wire of the transformer was stolen away by some unknown culprits in the late night of 03-06-2013 and on 04-06-2013 the location of the transformer was inspected by the respondent-1 i.e. the AE/Opn/V.Kothakota and informed to the police station for registering the case later the complainant approached the AE to arrange the healthy transformer of 16KVA in place of the stolen one immediately as he drilled new bore-well recently to raise crops and earlier there was no water.
4. The delay in replacement of the transformer is an account of poor response and non registration of case by the police, but however as per the directions of the higher authorities a healthy transformer was provided on 12-07-2013.
5. In accordance with the Guaranteed Standards of Performance the failed DTRs are to be replaced within 48 hrs in rural areas failing which the

respondents shall have to compensate the complainant by remitting an amount of Rs.100/- to the consumer.

- 6.** Here in this case though the transformer was under gone theft, in accordance with the directive number 16 of the honourable APERC communicated with the tariff order for the year 2010-11

 - a. The Licensees shall instruct their respective officials to lodge complaints with the police in the event of theft of DTR.*
 - b. The complaint lodged by the farmers with the service team of the DISCOMS should be enough for them to start the process of replacement of DTR and take action.*
 - c. The licensee shall take steps to restore the supply by arranging another DTR in place of stolen DTR. The Licensees shall display the details of replacement of failed DTRs (rating, place of failure and time taken for replacement) on daily basis at the Divisional, Sub-Divisional and Section offices.*
- 7.** Here in this case the consumer lodged the complaint with the AE concerned on 04-06-2013 the next day of occurrence of theft itself, but the respondents did not take initiative to provide a healthy transformer to extend supply to the consumer resulted in crop loss to the consumer. Finally the transformer was provided on 12-07-2013
- 8.** There is an abnormal delay of about 1 month in providing of transformer to the consumer. But however was replaced within 5 days after the interference of the Forum in the matter.
- 9.** The negligent attitude of the respondents in replacing the transformer even with the directives of the Honourable APERC is highly regrettable and the respondents are liable for punishment suitably.

10. However within the vested powers of the Forum the complainant shall be compensated by the respondent with an amount of Rs.100/- in the matter.
11. The Forum cannot order for making good of the loss sustained by the consumer as claimed as there are no such provisions.

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

ORDER

The respondents are directed that they

1. shall remit an amount of Rs.100/- to the consumers service within 90 days from the date of this order.
2. shall report compliance on the item-1 above of the order within further 7 days upon fulfillment of the same.

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 21st day of September 2013.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.