

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: 19/ 2013-14/ Kadapa 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.B.Chinna Obula Reddy
DNO:5-25, Patha Giriyapalli Village
Pendlimarri
Kadapa-Dist

Complainant

And

1. Assistant Engineer/Operation/Pendlimarri
2. Assistant Divisional Engineer/Operation/Rurals/Kadapa
3. Superintending Engineer/Operation/Kadapa

Respondents

Sri.B.Chinna Obula Reddy, Patha Giriyapalli resident of Pendlimarri, Kadapa-Dist herein called the complainants, in his complaint dt:06-05-2013 filed in the Forum on dt:06-05-2013 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 SCNo: 73 at Yellaturu village of Pendlimarri mandal in Kadapa-Dist.
2. The 16KVA transformer feeding the above service was under gone theft on 09-04-2013 night and the matter was reported to the AE on 10-04-2013, but there is no response from the concerned.
3. When asked about the replacement of the transformer the officers replying that the case is not registered in the police station and the

complainant has to approach the local PS and get the FIR copy upon which only the transformer will be provided.

4. Because of the said non replacement of the distribution transformer he sustained crop loss to a tune of about Rs.50,000/- for the one and half acre land.
5. The same matter was reported in the DISCOM toll free number 155333 also which could not yield any result.
6. Requested to provide transformer immediately along with the necessary arrangements.

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

The respondent-2 i.e. the Assistant Divisional Engineer/Operation/Rurals/Kadapa in his written submission dt:14-08-2013, received in this office on 16-08-2013 stated that:

1. A complaint was filed by AE/Opn/Pendlimarry at Pendlimary police station and FIR NO. was issued on Letter dt:05-07-2013.
2. In continuation to the FIR notification was generated theft DTR and submitted for replacement.
3. On dt:06-07-2013 the repaired DTR was issued by the SPM wing and the same DTR was erected to the consumer on the same day. The particulars of the replaced DTR is as follows:

Make: SLVE, SI.No.2860, Capacity: 16KVA

Findings of the Forum:

1. The grievance of the complainant is that the distribution transformer of 16KVA capacity feeding his agl. service was undergone theft in the night of 9th April 2013 and the same matter was reported to the AE concerned on 10th the next day in writing, but the transformer was not

replaced as the local police did not register the case and the complainant was asked to approach the police and get the FIR copy upon production of which only the transformer will be provided. The matter was also reported in the DISCOM toll free number:155333 which could not yield any result. The complaint sustain crop loss to a tune of about Rs.50000/- because of the non replacement of the transformer and requested to replace the transformer along with necessary arrangements immediately.

2. The respondent-2 i.e. the ADE/Opn/R-1/Kadapa in his reply stated that the case was registered under FIR number:81 of 2013 dt:05-07-2013 and the transformer was provided to the consumer on 06-07-2013 the day on which the same was procured from the SPM Kadapa.
3. 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.
4. 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.

5. Here in this case the consumer lodged the complaint with the AE concerned on 10-04-2013 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 to a tune of Rs.50,000/-. Finally the transformer was provided on 06-07-2013 though the notices were served upon the respondents upon approach of the complainant to the Forum on 06-05-2013.
6. There is an abnormal delay of about 3 months in providing of transformer to the consumer and also it was delayed by 2 months even after the interference of the Forum in the matter.
7. The negligent attitude of the respondents in replacing the transformer even with the directions of the Forum during adalath is highly regrettable and the respondents are liable for punishment suitably.
8. 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.
9. The Forum cannot order for making good of the loss sustained by the consumer as claimed as there are no such provisions in the law.

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.