

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

**On this the 28<sup>th</sup> day of December' 2022**

**C.G.No.18 /2022-23/ Kurnool Circle**

***Present***

Sri. K. Ramamohan Rao  
Sri. S.L. Anjani Kumar  
Smt.G. Eswaramma

Chairperson(I/c) & Member (Finance)  
Member (Technical)  
Independent Member

***Between***

Mr.N.C.Subbarayudu,  
Executive Engineer,  
TGP Division No.1,  
Velugodu-518 533.  
Kurnool Dt.

Complainant

***AND***

1.Superintending Engineer/O/Kurnool  
2.CGM/O&M/Corporate Office/Tirupati

Respondents

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**ORDER**

1. The case of the complainant (N.C.Subbarayudu, Executive Engineer/TGP Division-I, Velugodu) is that the Siddapuram Lift Irrigation scheme is proposed to lift 2 TMC of water from Velugodu balancing reservoir including construction of distributory system to irrigate an ayacut of 21300 acres in 12 No's of drought prone villages of Atmakur Mandal, Kurnool District (Now Nandyal District). The estimate for supply and erection of 33 KV power lines and Underground Cable from Atmakur Taluk of Kurnool District 132/33KV sub station to supply power to Stage-I and Stage-II pump houses of Siddapuram Lift irrigation scheme was prepared based on SSR 2014-15 and approved by the Chief General Manager/ Operations/ APSPDCL/ Tirupati vide CGM/OPN/NP.No. 40/15-16 dt: 06.07.2015. The work was taken up by the Water Resources Department on turnkey basis under the supervision of APSPDCL and entrusted the work to M/s.Anil Electrical and Sanitary Goods Stores, Siddipet Medak Distcitt on tender basis at (-)6.39%less than ECV vide L.S. Agreement No.1/2016-17/SE/TGP/NDL/dt: 29.04.2016.

He further informed that as per the sanctioned estimate 16 KM of over head line has to be erected and the 4 pole structure to be constructed at Reserve Forest Boundary near

0/ **DESPATCHED**  
DATE 29/12

Siddapuram tank and within the Reserve forest area 33 KV UG cable double circuit line has to be laid upto the 33/11 KV substations. However the overhead line is restricted to approximately 12 KM and the APSPDCL approved the 4- pole structure at the downstream of Siddapuram tank near to Atmakur Srisailam Road. The Reserve Forest Boundary near Siddapuram Tank is approximately 4 KM from the 4-pole structure along the Siddapuram Tank on the down stream side toe of tank bund. From 4-pole structure nearly 4 KM UG cable is recommended by the APSPDCL in the non forest area where there is water logging on the down stream of tank. The Divisional Electrical Engineer/ Operation/APSPDCL/Kurnool vide letter No.DE/O/KNL/Comml/F.No./D.No.983/17 dt:07.04.2017 has advised "it is essential to provide HDPE pipe for a length of 6 KM , required to provide for main and standby 33 KV UG cable on the downstream side toe of tank bund since there is a chance of heavy seepage during rainy season". It clearly shows that the APSPDCL authorities are well aware of the problem associated with the laying of the UG cable in a water logging area which could have altogether avoided as this is a non forest area and the UG cable is meant for reserve forest area. The cost of overhead line per KM is approximately Rs. 6 lakhs only where as the cost of 33 KV UG cable double circuit line per KM is approximately Rs. 1 Crore.

Electrical line was first charged on 6.12.2017. As per the agreement the defects liability period is 2 years. During the defects liability period the supply to the lift irrigation scheme was interrupted due to some fault in the cable laid in the water logging area and the executing agency M/s. Anil Electrical and Sanitary Goods Stores, Siddipet was requested to rectify the fault in the UG Cable. The agency has rectified the fault within the defects liability period.

Beyond the defects liability period during June'2020 the power supply to the HT SCNo's.KNL-787 &KNL-788 was interrupted and the APSPDCL authorities were requested to restore the power supply to the metering point which is placed at the 33/11 KV substations near the pump houses in the reserve forest area. The Superintending Engineer/O/APSPDCL/Kurnool vide Letter No. SE/Opn/KNL/EE.T/ DEE.C/AEE.C1/ J.E.II/D.No.496/20 dt:25.06.2020 informed that the department not having 33 KV cable fault locator instrument and the required skilled manpower to maintain 33 KV UG cable work and APSPDCL will undertake maintenance of overhead lines only and the water resources department has given oral consent that they are going to undertake the

maintenance of the 33 KV UG cable for 5 years during the guarantee period . It was replied by the water resources department in the letter No. EE/TGP/DIV-I/VLGD/TW/TO/236 dt: 27.07.2020 and again 254 dt: 04.08.2021 stating that the APSPDCL has collected from the Water Resources Department quality control and testing charges euqivalent to 10% of gross estimated cost i.e Rs.1,54,41,805. If APSPDCL does not have infrastructure to maintain UG cable work , why it has proposed UG cable for a Government work in the first instance and on what basis the APSPDCL has collected quality control and testing charges on UG cable work instead of collecting the charges only for overhead line whose estimate cost is less than Rs. 1 Crore only. As per the rules in vogue, it is the primary responsibility of the APSPDCL to ensure power supply upto the metering point irrespective of whether the line is overhead or UG cable and requested to restore supply to the service No's upto the metering point.

He is humbly submitting that at present there is no power supply to the HT services KNL-787 and KNL-788 since two months. They have requested DeputyExecutive Engineer/Atmakur in writing dt:07.05.2022 to restore power supply to these HT services as costly pumping equiment, SCADA system batteries are getting discharged due to non supply of power at both Stage-1 and Stage-II pump houses and the watch and ward staff at both the pump houses are facing lot of problems without power supply.

Hence requesting the Forum to issue necessary orders to the APSPDCL to restore power supply to these HT services immediately by taking over the line maintenance up to the metering point as per the rules in vogue.

2. The case was registered as C.G.No.18/2022-23/Kurnool Circle and sent to Respondents for written submissions.
3. The SE/O/Kurnool has submitted the written submission on 16.7.2022 which is as follows:-

1 No complaint was filed by Sri N.C.Subbarayudu, Executive Engineer, TGP Division No. 1, Velugodu-518 533, Nandyal District before the Hon'ble Chairperson/CGRF through CG No.18/2022-23/Kurnool Circle regarding restoration of power supply to the LI scheme duly taking over the 33KV Over head as well as UG cable line for HT SC No's KNL -787 and KNL -788.

- (1) The Estimate for the supply & Erection of 33KV power lines and underground cable from 132/33KV SS Atmakur, Kurnool Circle to supply power to stage-I and Stage-II pump houses of Siddapuram Lift irrigation scheme was sanctioned by the Chief General Manager/Operation/ APSPDCL, Tirupati vide CGM/O/NP.No.40/15-16, Dt: 06.07.2015. The work was taken up by the water resources department on turnkey basis under the supervision of APSPDCL.
- (2) As per the sanctioned estimate for erection of dedicated 16 km length of overhead 33KV line was erected up to the 4-Pole structure and 11.5 km length of 33KV UG cable double circuit was laid up to stage -II and stage-I for extending power supply to HT SC.No KNL-787 and KNL-788 by the water resources department under turnkey basis duly paying supervision charges of 10% of estimate cost. 33KV UG Cable has been proposed in the estimate in view of difficulty for obtaining forest clearance for erection of overhead line at that time as per the request of water resources department. APSPDCL never preferred to propose 33KV UG Cable for erection of line works as the skilled personnel are not available to maintain underground cables.
- (3) The APSPDCL is not aware of the condition that the defective liability period is 2 years only while awarding of the work by water resources department to M/s Anil Electrical and sanitary goods stores, Siddipet. It was already informed to the Superintending Engineer/TGP Circle/NDL that the IR values of both 33KV UG Cables were found un-satisfactory and requested to rectify the same.
- (4) Respondent-1 has already informed to the Superintending Engineer/TGP Circle/NDL and it is not possible to maintain 33KV UG cables as the department is not having 33KV Cable fault locator instrument and required skilled manpower. 10% cost of the estimate being supervision charges only during execution of works till releasing of HT service and this amount is not at all concerned with regard to regular maintenance or what so ever
- (5) The Dy. Executive Engineer/O/Atmakur has addressed a letter to the concerned authorities to rectify the 33KV UG Cables immediately. But they were not responded till date.
- (6) APSPDCL is not collecting any annual Maintenance Charges from the consumer as these services were extended through dedicated line with separate metering provided

at consumer premises for stage-I & II as per the request of EE/TGP Division/Velugodu. Hence, APSPDCL is no way responsible for maintaining of lines.

(7) They have not paid CC Charges for the said HT services KNL-787 since Feb'2019 and for KNL-788 since Dec-2018 and having total CC charges dues for an amount of Rs.25.09 Crores pending as on 30.04.2022.

(8) They have issued notice to the EE/TGP/Velugodu for payment of CC Charges to the tune of amount Rs.25.09Crores pending as on 30.4.2022. Due to non-payment of CC charges, the service was disconnected at 4-pole structure on 13.06.2022. Further it is informed through letter stating that, department is not responsible for consequential inconvenience and equipment damages occurred due to disconnection of power supply.

(9) Based on the above facts, respondent-1 has submitted that the maintenance works of 33KV UG Cables as requested by Executive Engineer/TGP/Velugodu may be dismissed until payment of huge arrears.

4. The CGM/O&M/Tirupati has submitted the written submissions on 30.7.2022 stating that :

1. The Telugu Ganga Project had acquired power connections HT KNL-787 and HT KNL-788 with provision of 2 Nos. 33/11KV sub-stations during 4/2017.
2. The aforesaid HT services are formulated on 33KV Dedicated feeder.
3. The work is executed by the Irrigation Department on Turnkey basis.
4. The work involves with 33KV Cable for about 12KM. While preparation of estimate the APSPDCL clearly informed on query for providing of cable since Department does not hold any support of technical instrumentations for maintenance by APSPDCL. But the Irrigation Department had taken the responsibility to maintain the total 33KV line including of 33KV Sub-stations and maintaining accordingly till to date.
5. Both the HT services reported to be defaulted with arrears of Rs.25.09 Crores as such disconnected on 13.6.2022.
6. The TGP Irrigation authorities have very clearly long back informed on their plea to take over the maintenance of 33KV line including 33KV line and sub stations by APSPDCL.

In the light of aforesaid circumstances the grievance posted by the Executive Engineer/Telugu Ganga Project had no locus-standi for consideration for any conclusion by this forum.

5. Additional written submission submitted by Respondent No. 1 dt:12.12.2022 stating that the arrears of the said HT service vide HT No. KNL-788 for Rs.16.76 Crores, and KNL-787 for Rs.14.85 Crores upto 12/2022. However the said HT services were restored supply upto the metering point on 29.07.2022 at 14.05Hrseven though arrears of CC charges have not received as on date, keeping in view of the services belongs to government department. Hence requested to close the grievance.
6. Personal hearing through video conferencing was conducted on 13.12.2022. Srinivasulu Chetty (New incumbent in place of N.C. Subbarayudu) attended, EE/TGP-1/Division/ Velugodu and Arifulla, Dy.EE/TGP-1/Velugodu and respondents SE/O/Kurnool, EE/O/ Rural/Kurnool, Dy.EE/O/Atmakur present. Heard both sides.

The SE/O/KNL has stated that at the time of releasing of the said HT services the consumer agreed for maintaining of UG cable and the 33KV SS from their end only. Further stated that the maintenance of UG cable works will not come under the jurisdiction of APSPDCL also informed that the department not having 33 KV cable fault locator instrument and the required skilled manpower to maintain 33 KV UG cable work and APSPDCL willonly undertake maintenance of overhead lines. The complainant only montitoring the 132 KV SS fed to their HT services, hence the maintainance and rectificaiton woks related to their UG cable should also be maintained by the complainant only. Hence requested to close the case.

The complainant EE/TGP Division No.1/Velugodu, has stated that for HT services upto consumer metering point the APSPDCL itself maintaining and rectifying defects. Similarly the APSPDCL authorities only to maintain and to maintain the said HT services and to rectify the defects up to their metering point.

7. Point for determination is whether this forum has power to issue instructions to the department to restore the power supply to HT services HT KNL-787 and HT KNL-788 by taking over the line maintenance up to the metering point ?

As seen from the estimate sanctioned it is observed that for releasing of 2 Nos. HT services at 33KV level for a CMD of 4000KVA with CL of 4290HP + 10KW of at stage-I and (2) for CMD of 4200KVA with CL of 4504HP +10KW at Stage-II, the department collected Rs.13,31,17,160.47 (G) &(N) towards estimate cost.

**Estimate Proposal in brief:-** The proposal involves the following:

- 1 Erection of 1 No 33 KV VCB with 33 KV Bay Extension at 132/33 KV Atmakur SS.
- 2 Erection of 16 KM 33 KV line 100 sqmm AAA conductor over 9.1 Mts PSCC Poles at span of 70 Mts
- 3 Erection of 11 KM 33 KV Line with 3 core 400 sqmm UG Cable
- 4 Erection of 2 Nos X 33 KV Terminal & Metering arrangements at Consumer premises.
- 5 Releasing of 02 Nos HT Services with 4000 KVA CMD & 4200 KVA  
POWER TRANSFORMER CAPACITY, the proposed loads can fed from 132/33 KV Atmakur SS where there is Power transformers capacity of 2X10/16 MVA Estimate sanctioned vide WBS No. : E-2014-08-01-53-01-015 .

As per the estimate sanction it is observed that the department furnished the cost of the estimate only for erection and release of supply.

On the otherhand the 2 HT Agreements concluded on 04.12.2017 between Executive Engineer, TGP Division No.1, Velugodu and the licensee.

The agreement concluded by the licensee with the following contents:-

1. Supply of power
2. Load/Maximum Demand.
3. Re-sale of Electric power
4. Obligation to comply with requirements of Act, and GTCS.
5. Date of coming into force of the Agreement
6. Period of Agreement
7. Determination of Agreement
8. Obligation of consumer to pay all charges levied by Company
9. Company's Right to vary terms of Agreement
10. Monthly Minimum charges
11. Special Annual Minimum Guarantee and other charges.

No other contents found regarding maintenance works of 33KV UG Cables in the HT agreement. The department not enclosed the fresh agreement copy concluded with the EE/TGP Division/Velugodu.

**Clause -14 of HT agreement is as follows:**

*“ In case any dispute or difference that may arise in future on supply i.e., electricity or the other terms and conditions of agreement between APSPDCL and other consumer. Such dispute/difference may be referred to or file in the appropriate court of Law within the state of A.P. only or tried by competent court within the jurisdiction of A.P. High Court only”*

Hence passing of orders to the respondents for taking over the line maintenance upto the metering point cannot be decided by this Forum. .

This forum is of the opinion that, the department already clearly informed to the complainant while preparation of estimate by the APSPDCL on query for providing of cable, since department does not hold any support of technical instrumentations for maintenance by APSPDCL. But the Irrigation Department had taken the responsibility to maintain the total 33KV line including 33KV Sub-stations and maintaining accordingly till to date.

The department already informed to TGP Irrigation authorities long back on their plea to take over the maintenance of 33KV line including 33KV UG cable as it is not possible at this stage by APSPDCL and informed that balance portion of maintenance of overhead lines will look after by the APSPDCL only.

The powers vested with this forum are very limited. This forum can only pass orders when officers of Licensee fail to follow the Regulations issued by the Hon'ble Commission from time to time and GTCS. In this case respondents informed reasons for non-maintenance of the said 33KV lines including 33KV sub-stations. If the complainant is of the opinion that respondents violated terms of license and Regulations issued by Hon'ble APERC, its remedy is elsewhere and not before this Forum. This Forum could not decide the jurisdiction of the estimate sanctioned by the department duly following the terms of license and Regulations issued by Hon'ble APERC.

Respondents are entitled to collect CC bill arrears amount outstanding levied as per the Tariff orders issued by Hon'ble APERC from time to time against the said HT services.



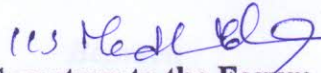
In view of the above reasons there are no merits in the complaint and is liable to be dismissed. The point answered accordingly.

9. In the result the complaint is dismissed.

Sd/-  
Member (Technical)

Sd/-  
Independent Member  
Forwarded By Order

Sd/-  
Chairperson (I/c)

  
Secretary to the Forum

**This order is passed on this, the day of 28<sup>th</sup> December '2022**

If aggrieved by this order, the Complainant may represent to the Vidyut Ombudsman, Andhra Pradesh, 3<sup>rd</sup> Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008, within 30 days from the date of receipt of this order.

To

The Complainant

The Respondents

Copy to the Nodal Officer (Chief General Manager (O&M)/ Operation)/ CGRF/ APSPDCL/ Tirupati.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh , 3<sup>rd</sup> Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008.

Copy Submitted to the Secretary, APERC, 11-4-660, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.