

STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION NO. P/241/2011.

(Present: T.P. Vivekanandan)

APPELLANT : Sri Prakash V.N.
Vichattu (H), Vaidyasalapady,
Iringole P.O., Perubavoor.

RESPONDENT : The Assistant Executive Engineer,
Electrical Sub Division, KSE Board,
Kuruppampady.

ORDER.

Background of the Case: -

The appellant is a resident of Iringole, Perumbavoor, under Electrical Section, Kuruppampady. While so, on 18/1/2011, the Residents Association of Vaidyasalapady submitted a petition to the Assistant Engineer, requesting to solve the acute Low voltage problem persisting in the area and also filed a petition before the Janakeeya Vydyuthi Adalath regarding the matter. The Adalath conducted in February 2011, had decided to provide 100 KVA transformers, each at locations of Cheeyamkulam Padam & Menonpady. The appellant alleges that the respondent is reluctant to comply the decisions taken in the Adalath and deviating from the assurance given of installing the transformer at Cheeyamkulam Padam. The petitioner has appealed to the CGRF to issue orders for providing street lights and conversion of single phase to three phases in certain areas as part of the voltage improvement works. The CGRF disposed of the petition vide order No. CGRF-CR/COMP.7/2011-12 dated 23/7/2011. It is held therein as follows.

"...The load centre of Vaidyasalapady and Menonpady are only about 200 mtr apart. Hence once this proposed transformer is charged the voltages at Menonpady and Vaidyasalapady will improve substantially. Further in order to improve the LT system and voltage a new LT system improvement work has been proposed. This work is of drawing 45 mtrs of fresh LT3 phase line and conversion of 135 mtr of single phase line so as to interlink the 250 KVA Elite transformer to the new proposed 100 KVA transformer at Iringole. Forum appreciates these efforts of the respondent. Respondent's statement that installation of another transformer at Vaidyasalapady near Cheeya-mkulam is not necessary in the light of the mentioned VI/SI works is admitted. Petitioner can approach this Forum if not satisfied on completion of the said works".

Still aggrieved by the decision of CGRF the appellant has submitted the Appeal petition before this Forum on 24.7.2012.

Arguments of the Appellant: -

The arguments of the appellant are based on the brief facts and circumstances of the case that is narrated above. Further, the appellant has adduced the following arguments.

The residents of the area at Iringole are suffering due to acute voltage deficiency problems and various electricity complaints. The Adalath conducted on 6/2/2011 had taken the decisions for installing transformers at Vydyasalapady near Cheeyamkulam and Menonpady to solve the low voltage deficiency problem in the area. The AEE, ESD, Kuruppampady was entrusted to implement the above decisions taken in the Adalath, but not complied with and though he approached the CGRF for implementation of decisions in the Adalath, the Forum agreed to the versions of the AEE and denied justice. The main contention of the appellant is that the AEE has not taken any steps to comply these decisions but he unilaterally decided to go ahead with the installation of T'rfr at Menonpady alone, stating that the installation of transformer at Menonpady will fulfill the voltage requirements of Cheeyamkulam Padam also.

Another contention of the appellant is that the distance from Vydhyasalapady to Menonpady is more than 700 meters and it is not 200 meters as argued by the AEE. The sketch produced by the AEE itself shows 700 m distance in between these two places. Further the appellant contended that due to heavy overload, the Elite transformer failed and the area was in dark for a week. The connected load of Elite transformer after exempting the load of the southern part of Menonpady will come above 500KW. Out of this, 200KW are being used in the area of Cheeyamkulampadam. As this place is very populated and various firms are functioning there a checking of the connected load of Elite transformer, after exempting Menonpady, will corroborate his argument of the need for a transformer near Cheeyamkulampadam.

The following are the reliefs sought for by the appellant.

- 1). To take immediate steps to commission the Menonpady transformer,
- 2). To give priority to install the Cheeyamkulam transformer which was approved in the Adalath?
- 3). To take action for conversion of existing single phase lines to 3 phase lines and provide street light opposite to Joyal Furniture near Vydyasalapady.

Arguments of the respondent: -

The respondent has denied all the averments and allegations contained in the petition and has adduced the following arguments against the contentions of the appellant.

A 100 KVA transformer was installed at Menonpady under Electrical Section, Kuruppampady based on the decision taken in the Adalath dated 6/2/2011 after constructing 700 m 11 KV line, as a part of 100 days programme. The same was charged on 30/9/2011 after complying with all the statutory formalities (PTCC, inspectorate approval etc). About 100 consumers fed from the Elite transformer (250KVA) have been shifted to the newly installed transformer. The voltage in the areas mentioned in the complaint to the Adalath has got improved now. More over 80m fresh line and 75m of 1- phase to 3 phase conversion has also been made to interlink the newly installed transformer and existing Elite transformer. At present no voltage problem exists in the areas of Menonpady, Vydyasalapady and in Cheeyakulam on local enquiry and in physical inspection.

The CGRF had directed the petitioner to approach the Forum if he is not satisfied on completion of the said works. The appellant did not do so. Though LT line route exists between Menonpady

and Elite transformer which is 300-350m apart, the HT line is not possible to draw through that road due to space constraints. Hence 700m HT line construction is required.

The Elite transformer (250KVA) had failed on 29/4/2011 due to heavy lightning and the same was replaced on 30/4/2011 itself. The peak load currents of the transformer has never exceeded 175 A and please note that the rated current of 250 KVA transformer is 333 A. The peak load of Elite transformer has got reduced further with the charging of Menonpady transformer.

The respondent has summarized his arguments as follows:

- 1). Menonpady transformer has already been commissioned on 30/9/2011.
- 2). At present there is no need for installing a transformer at Cheeyamkulam area. There are several other areas like Nooleichira, Pachpillapady, Ekkunnametc where voltage improvement works are to be done urgently under Kuruppampady Section. Once the said works have been completed and if the voltage at Cheeyamkulam falls below the statutory level, installation of a transformer somewhere around Cheeyamkulam area can be thought of in future.
- 3). Nobody residing in the lane has raised complaint for the conversion of 1 phase to 3 phase line opposite to Joel Furniture. At present there is no need for such a work as the fag end voltage in that line is quite satisfactory. If any consumer wishes to get 3 phase connection, he can avail the same after converting the said line by remitting the charges. The respondent is ready to do the work in future once it attains the merit in comparison with other works under his jurisdiction.
- 4). The installation of street lights are depended on local body resolutions and payment of fees by the local bodies and thereafter steps will be taken to draw street main and to install street lights.

Analysis and Findings: -

The Hearing of the case was conducted on 11.1.2011 and 29.6.2012 in my chamber at Edappally and Sri. M.P. Poulouse, Asst. Exe. Engineer, Electrical Sub Division, Kuruppampady appeared for the Respondent's side. The appellant has not attended the Hearings and a letter dated 22/6/2012 was received from him on 4/7/2012, requesting to take suitable decision as the complaints still persist.

On examining the Petition, the argument note filed by the Appellant, the statement of facts of the Respondent, perusing the documents and considering all the facts and circumstances of the case, this Authority comes to the following conclusions and findings leading to the final decisions.

Regarding the first point of the complaint on installation of Menonpady transformer, the issue has been settled as the transformer has already been commissioned on 30.9.2011.

The second request of the appellant is installation of a transformer at Cheeyamkulampadam for solving the low voltage problem in that area. The Janakeeya Vaidyuthi Adalath done on 6/2/2011 had taken a decision to install a new transformer at Vaidyasalapady near Cheeyamkulam also. The decision was taken after inspecting the area by the Chairperson, the Executive Engineer, Electrical Division, Perumbavoor and other members (officials of KSEB) who conducted the Adalath. But the installation of a transformer in Cheeyamkulam has not been complied with by the respondent on the ground that the voltage in the areas of complaint have got improved as of now and there are several other areas exist where voltage improvement works are to be done urgently than this area under Kuruppampady Section. The respondent has further submitted that the peak voltage of the Cheeyamkulam area was measured as per direction from this Forum and found satisfactory. The present voltage measured during the 'peak time' (evening) for three consecutive days are 210 V, 211 V and 209 V respectively and he argues that there is no need for installing a new transformer.

DECISION: -

The decision to install transformers both at Cheeyamkulam and Menonpady area, was taken by a Committee, comprising the Exe. Engineer and other KSEB Officers in consultation and one of the T'rfr was erected at Menonpady. The appellant is still having complaint of low voltage at Cheeyamkulampadam area. As per rules the voltage variation allowed in LT voltage system is + or – 6% only. But the voltage measured at the complaint location in the evening (peak time), was reported as an average of 210 V per phase. This means a voltage regulation of $(230-210)/230=8.7\%$ which is more than the admissible one. The respondent says that there are other areas under the Section where the voltage is still worst than this area. This is not a sensible reply to a consumer's right. It is the responsibility of the Licensee to maintain the quality of the Supply voltage by implementing Voltage and system improvement works as and when required. I am inclined to believe that the decision of Janakeeya Vydyudhi Adalath, chaired by the Executive Engineer, Perumbavoor was in order and there exists, still low voltage on the disputed Cheeyamkulumpadam area, even after the completion of the Menonpady T'rfr. Hence, I am of the view that the Voltage Improvement work proposed for 'Cheeyamkulampadam' and approved by the KSEBoard earlier, is found reasonable for the reasons stated above and the respondent shall execute the same work on priority.

Another demand raised by the appellant is for conversion of single phase line to three phase line at Vaidyasalapady opposite to the road of Joyal furniture. Considering this demand, the CGRF has ordered the respondent, to carry out this work in future once it attains the merit. I do not feel to interfere in this decision of CGRF.

Lastly the appellant has requested for installation of street lights in some locations. As per rules, it is the responsibility of the respective Local bodies to initiate action for the installation of street lights as they are paying the electricity charges. The only possibility available for the appellant is to approach the local body for taking further steps to install the street light.

Having decided as above, it is ordered accordingly. The The CGRF order No. CGRF-CR/ COMP.7/ 2011-12 dated 23/7/2011 is modified to the extent ordered as above. The Appeal petition filed by the appellant stands disposed of as stated.

No order on costs. Dated the 11th of February, 2013.

Electricity Ombudsman.

Ref. No. P/ 241/ 2011/1576/Dated 11.02.2013.

Forwarded to

- 1). Sri. Prakash V N,
Vichattu (H), Vaidyasalapady, Iringole P O, Perubavoor.
- 2). The Assistant Executive Engineer,
Electrical Sub Division, KSE Board, Kuruppampady.

Copy to: -

- 1) The Secretary, Kerala State Electricity Regulatory Commission,
KPFCBhavanam, Vellayambalam, Thiruvananthapuram-10.
- 2) The Secretary, KSEB,
Vydyuthibhavanam, Pattom, Thiruvananthapuram-4.
- 3) The Chairperson, Consumer Grievance Redressal Forum,
KESB, Power House Building, Ernakulam- 682018.