

**OFFICE OF  
THE ELECTRICITY OMBUDSMAN  
ASSAM ELECTRICITY REGULATORY COMMISSION**

FILE NO. EOM. 15/2012

Petition No. 5/2012

Name of Petitioner: Md. Zulfiqar Ahmed Barlaskar  
Village- Hatirhar, Part-II  
P.O. – Srikona, Dist.- Cachar  
Assam - 788026

**ORDER SHEET**

24.07.2012

Md. Zulfiqar Ahmed Barlaskar of village Hatirhar, Part-II, P.O.-Srikona, Dist.- Cachar, Assam, the Appellant Petitioner hereinafter called the 'Petitioner' filed an appeal Petition dated 23.04.2012 before the Electricity Ombudsman which was received on 30.04.2012.

Main contention of the petitioner was that, as a domestic electric consumer under Electric Sub-Division – III, Silchar, the Petitioner along with the local electric consumers are suffering from low voltage and wide fluctuation of voltage and that they submitted a complaint to the Sub-Divisional Engineer, Silchar Electrical Sub Division-III, APDCL, Silchar on 22.06.2011 and again a reminder complaint on 09.09.2011. But as no action was taken by the concerned official, they submitted complaint in this regard to the Consumer Grievances Redressal Forum (CGRF), Hills and Barak Valley Zone, APDCL. But the CGRF also did not take any action till date of filing the appeal petition before the Electricity Ombudsman.

Being aggrieved, the Petitioner has filed the appeal petition praying for restoration of minimum proper voltage. The nature of complaint falls under the provision 3(1) of the Guidelines for Redressal of Consumer Grievance notified by Assam Electricity Regulatory Commission (AERC). As one month has since elapsed from the date of submitting complaint before the CGRF i.e. 09.02.2012 and since the CGRF have not taken any action till 23.04.2012, therefore as per Guidelines for Redressal of Consumer Grievance, I admit the appeal petition under provisions contained in clause 5(1) and 6(4) of the above Guidelines notified by the Assam Electricity Regulatory Commission (AERC).

Altogether 3(three) sittings were held on the dates 22.05.2012, 19.06.2012 and 10.07.2012.

On the first date of hearing Petitioner Md. Zulfiqar Ahmed Barlaskar was present and Respondents 1) Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL and 2) General Manager, Barak valley Zone cum Chairman, Consumer Grievances Redressal Forum (CGRF), APDCL, Hills and Barak Valley Zone were present.

On the second date of hearing Respondents 1) Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL and 2) General Manager, Barak valley Zone cum Chairman, Consumer Grievances Redressal Forum (CGRF), APDCL, Hills and Barak Valley Zone were present. But the Petitioner was absent without taking any steps.

On the third and final date of hearing Respondents 1) Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL and 2) General Manager, Barak valley Zone cum Chairman, Consumer Grievances Redressal Forum

(CGRF), APDCL, Hills and Barak Valley Zone were present. The Petitioner was absent showing reason vide letter no. 'nil' dated 03.07.2012 and prayed for relieving him from physical attendance on 10.07.2012 and also for further dates of hearing showing reason that he is a Govt. employee and he has to face too much hardship for availing leave from his office and also that recurring attendance in hearing proceedings in the office of Electricity Ombudsman will further increase financial and physical hardship to him. Hearing fixed on 10.07.2012 was the final date of hearing and physical attendance of the Petitioner would have helped in the complaint redressal process to come to a satisfactory resolution of the complaint. But as the Petitioner declined to attend on the final date of hearing after receiving the notice for the same, I decided to pass the final order without the Petitioner being heard on 10.07.2012.

Examined the documents submitted by the Petitioner. The Petitioner in his appeal petition dated 23.04.2012 submitted that –

- 1) As a domestic consumer under electric Sub-Division –III, Silchar, he and the local electric consumers are suffering from low voltage and wide fluctuation of voltage. So, they submitted a complaint before the SDE on 22.06.2011 and a remainder compliant again on 09.09.2011. But no action was taken by the concerned SDE, the date of filing the appeal petition before the Electricity Ombudsman was 23.04.2012.
- 2) Thereafter, the Petitioner along with a few electric consumers a few electric consumers submitted complaints on the same issue before the Chairman, Consumer Grievances of Redressal Forum (CGRF), APDCL. But no action was taken by the CGRF.
- 3) The complaints were filed during summer season when the voltage remain very low even to the extent of 90 voltage due to heavy use of domestic refrigerators, ACs, fans etc. but during winter season voltage raised to maximum 130-140 during peak hour due to the non use of aforesaid domestic appliances like refrigerators, ACs, Fans etc.
- 4) Distances between consecutive electric poles is nearly 100 meters in some places in LT line and due to such wide gap between consecutive poles conducting pair of wires hanging in very loose condition and even medium flow of wind cause sparks and interweave the said pair of wires in various places leading to the blow of transformer fuse frequently and recurrent damage of various house appliances.
- 5) The LT electric poles in various places are leaning dangerously which may cause accidental loss of life and property.
- 6) Due to negligence of local electric LT line maintenance staff, the condition of LT line is deteriorated day by day to such worst condition.

The complaint of the Petitioner was three fold –

- 1) The Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL did not take action on their complaint dated 22.06.2011 and 09.09.2011.
- 2) The Chairman, Consumer Grievances Redressal Forum (CGRF), APDCL, Hills and Barak Valley Zone did not take action on the complaint submitted before them.
- 3) The Petitioner prayed for restoration of minimum proper voltage as sought for in their original complaints dated 22.06.2011, 09.09.2011 and 09.02.2012.

Seen the complaint petition dated 22.06.2011 and 09.09.2011 wherein the complainants prayed before the Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL for restoration of proper voltage in their LT line which sometimes goes down even below 90.

Seen the complaint petition dated 09.02.2012 submitted by the complainants before the Chairman, Consumer Grievances Redressal Forum (CGRF), APDCL, Hills and Barak Valley Zone, Assam wherein the complainants stated the issues at (1) and (3) to (6) as mentioned above in the appeal petition before the Electricity Ombudsman.

Coming for redressal of the first and second complaint, it is to be mentioned that the AERC has notified the "Guidelines for Redressal of Consumer Grievances" to streamline and simplify the process for registration and resolution of complaints of electricity consumers and the Distribution Licensee herein the Respondents are to implement these guidelines in letter and spirit. Chapter-II of these guidelines deal with the nature of complaints and duty of distribution licensee and under clause 3 (3) & (4) "the consumer complaints shall be duly registered within 2 hours of the receipt of the complaint" and "the concerned officers of the Distribution Licensee shall deal with the Complaint in the manner set out in Schedule 1 to these guidelines." But in this case, the concerned official of distribution licensee i.e. the Sub-divisional Engineer (SDE), Silchar Electrical Sub-division-III, APDCL did not register the complaint. By not registering the complaints, the SDE, Silchar Electrical Sub-Division-III, APDCL, Central Assam Zone, Silchar has violated the said mandatory provisions of the "Guidelines for Redressal of Consumer Grievances".

The Respondent SDE in his para wise comment on the appeal petition submitted that on receipt of the complaint he took all efforts with available resources like balancing of load, checking and repairing of all jumpers including complete maintenance of the Distribution sub-station etc. but the said departmental constraints for system improvement were not informed to the aggrieved consumer.

The Respondent General Manager cum Chairman, Consumer Grievances Redressal Forum (CGRF), APDCL, Hills and Barak Valley Zone informed that the CGRF could not take up the case due to demise of one member of the Forum. This plea is not acceptable because it is clearly mentioned in clause (4) (2) (a), Chapter – III of the "Guidelines for Redressal of Consumer Grievances", that when the Chairman of the Forum (CGRF) is unable to discharge the functions owing to absence, illness or or any other cause, then anyone of the two Members of the Forum shall discharge the functions of the Chairman until the day when the Chairman assumes office. Therefore, for quorum presence of the Chairman and one Member is sufficient.

For resolution of the third and main grievance of the Petitioner relating to low voltage at first it is desired to find out the cause of such low voltage.

From all the documents submitted before the Electricity Ombudsman by the Respondents and the Petitioner and from the statements made during the date(s) of hearing on the reason for causing low voltage, it transpired that-

1. The standard distance between two consecutive electric poles as per specified of Rural Electrification Scheme under which the Hatirhar, Part-II was electrified was 50 meters for LT line and the distance between two consecutive poles at village Hatirhar, Part-II was not maintained in few location due to site condition as reported by the SDE. In such conditions,

there is reason to believe that the conducting pair of wires may hang loose which may cause low voltage vis-à-vis fluctuation of voltage.

2. Respondent Sub-Divisional Engineer, Silchar Electrical Sub-Division-III, APDCL, Central Assam Zone, Silchar, in his parawise comments stated that the village Hatirhar, Part-II was electrified in the year 1985-86 under Rural Electrification Scheme and that the village came under the control of Single Point Power Supply scheme agent (SPPS) in the year 2007. He also stated that on receipt of the complaint all efforts were made with available resources like balancing of load, checking and repairing of all jumpers including complete maintenance of the distribution substation but no fruitful results were achieved. The Respondent cited the reason that the low voltage complaint could not be resolved due to non-availability of any scheme for system augmentation for installation of new DTR and also that due to fluctuation of 132 KV grid voltage, there was effect in the LT voltage and accordingly tap changing of 132 KV power transformer were done on 2-3 occasions during last one year.
3. The Petitioner on his own admission as per his letter no. 'nil' dated 03.07.2012 informed that cause of low voltage is due to the remoteness of their house connection from the supplying transformer which is approximately 1500 meters from the transformer.
4. Another cause may be due to the condition of the line/system as the Respondent SDE, Silchar Electrical Sub-division-III, APDCL stated in his para wise comment that all efforts were made with available resources like balancing of load, checking and repairing of all jumpers including complete maintenance of the distribution sub-station but no fruitful results were achieved.
5. Non-availability of any scheme for system augmentation for installation of new DTR.
6. There are instances of hooking in that area as reported by the general Manager cum Chairman, CGRF, Hills and Barak valley Zone.
7. As per information submitted by the Respondent SDE, Capacity of the existing transformer is 11/0.4 KV x 63 KVA. Total recorded consumer at the time of handing over the transformer to the agency under the Single Point Power Supply Scheme Agency (SPPS) was 41.

Total connected load of 41 consumers = 28.940 KW.

Total existing recorded consumer has been increased to 68.

Total unit consumed as read in the meter attached to the transformer during April, 2011 to April, 2012 (total 397days) = 25380.

Total unit consumed as billed on the recorded consumers during April, 2011 to April, 2012 (total 396 days) = 22533.

Thus, there is a gap of 2847 unit between the reading in the meter attached to the transformer and the unit consumed as per billing on the recorded consumers. From the above statistics, it appears that the capacity can cater approx. 68 consumers. So, capacity of the transformer with the recorded existing 68 consumers may not be a cause for low voltage.

Let us now see what the Regulations say on minimum quality of power supply by the distribution licensee to the consumer.

Under clause 2.1.2 of the AERC (Electricity Supply Code and Related Matter) Regulations, 2004, (First Amendment) 2007-

“The declared voltage of the AC supply is as follows:

(a) Low Tension

(i) Single Phase: 230 volts between phases and neutral.

(ii) Three Phase: 400 volts between phases.

(b) High Tension (HT) - Three Phase: 11 kV or 33 kV between phases and Single phase:  $11/\sqrt{3}$  KV between phase and neutral.

(c) Extra High Tension (EHT) - Three Phase: 132 kV or 220 kV between phases. For Railway Traction two-phase supply may be given.”

And under clause 2.1.3 of the AERC( Electricity Supply Code and Related Matter)Regulations, 2004, (First Amendment) 2007-

“.....The licensee shall maintain the voltage at the point of supply to the consumer within limits prescribed in the Distribution Licensees’ Standard of Performance Regulations.”

Now the AERC (Distribution Licensees’ Standard of Performance) Regulations, 2004 under clause 3(1) “The Standards specified in Schedule-I shall be the Guaranteed Standards of Performance, being the minimum standards of service that a licensee shall achieve and maintain in the discharge of his obligations as a Licensee.”

Let us see what schedule-I says on the standards of performance on quality of power supply.

Under Schedule-I – Clause (2) “Quality of Power Supply: The guaranteed standards for quality of power supply by the licensee in his area of supply are specified hereunder. Subject to availability of supply at inter-connection points with transmission system within the limits specified for transmission licensee, the Distribution Licensee shall ensure that quality of power supply meet the specified minimum guaranteed standards. The Licensee shall liable for payment of compensation to consumers as may be determined by the Commission for failure to meet the specified quality indicators.

The compensation for quality of power supply under Schedule-I will be determined by Commission based on the consumer complaints received and claims made after the Commission holds an investigating hearing.”

Under Schedule-I – (3) Voltage variation limits “.....The Licensee shall ensure that long duration voltage variation at the point of commencement of supply to consumer as defined in Indian Electricity Rules, 1956, shall not vary from the declared voltage as below:

Type of supply and declared voltage	Variation maximum limit %	Variation minimum limit %
230 Volts single phase 50 Hz AC supply	6% of declared voltage	6% of declared voltage
400 Volts three phase 50 Hz AC supply	6% of declared voltage	6% of declared voltage
11000 Volts three phase 50 Hz AC supply	6% of declared voltage	9% of declared voltage
33000 Volts three phase 50 Hz AC supply	6% of declared voltage	9% of declared voltage

In the present case, declared voltage is single phase 230 volts between phases and neutral and permissible variation of limit is  $\pm 6\%$  of declared voltage. Taking into consideration of the information submitted by the Respondent SDE, Silchar Electrical Sub-Division-III, APDCL, Central Assam Zone, Silchar, all efforts were

made with available resources like balancing of load, checking and repairing of all jumpers including complete maintenance of the distribution sub-station to resolution of the complaint relating to low voltage, but no fruitful results were achieved, it transpired that the Respondent SDE could not ensure the quality of power supply to the specified minimum guaranteed standards as stated in the Regulations above. He also submitted that due to non-availability of any scheme for system augmentation for installation of new DTR, the low voltage complaint could not be resolved.

The Respondent SDE admitted that the low voltage problem could not be solved as the problem lies in deficiency of infrastructure and that he has already submitted proposal to the competent authority for a new sub-station both in 2<sup>nd</sup> phase of RGVVY scheme and O&M scheme.

After taking into account of all these aspects and after taking into consideration of the probable cause of low voltage as mentioned above, I come to the conclusion that for resolution of the low voltage complaint, augmentation of system / installation of new DTR is utmost necessary. Therefore, I recommend under clause (7) (1) of the “Guidelines for Redressal of Consumer Grievances” that the Respondents will take immediate necessary steps for augmentation of the system/ installation of new DTR for which proposal have been made by the Respondents within the time limit as prescribed in the “Guidelines for Redressal of Consumer Grievances” / AERC (Distribution Licensees’ Standards of Performance) Regulations, 2004 and AERC (Electricity Supply Code and Related Matter) Regulations, 2004, (First Amendment) 2007.

Also, on receipt of the above recommendation, the Petitioner and the Respondents shall send a communication to the Electricity Ombudsman in writing, within 15 days from the date of receipt of this recommendation, confirming their acceptance of the recommendation in full and final settlement of the complaint made as prescribed under clause (7)(2) of the “Guidelines for Redressal of Consumer Grievances”.

In the meantime, to give relief to the Petitioner and other affected consumers, the Respondents will take all possible steps to raise the voltage to attain the standards related to quality, continuity and reliability of power supply as prescribed in the AERC (Distribution Licensees’ Standards of Performance) Regulations, 2004.

Also, let the Respondents keep vigil so that no malpractices/hooking etc. take place.

Let copy of this order be served to the Petitioner and the Respondents for information and compliance.

Let copy of this order be sent to the Chairman, ASEB, for favour of information and necessary action.

Let copy of this order be sent to the Secretary, Assam Electricity Regulatory Commission, for placing before the Commission.

Let copy of this order be sent to the Secretary, Central Electricity Regulatory Commission / Forum of Regulators (FOR), 3rd & 4th Floor, Chanderlok building, 36, Janpath, New Delhi – 110 001, for favour of information.

Sd/-  
(Neelima Dewri Dutta)  
Electricity Ombudsman