

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
(Under the Electricity Act, 2003)
PUDUCHERRY

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

THIRU R. KRISHNAMURTHY, B.Com., LLB., PGDFL.,
JERC NOMINATED MEMBER

TUESDAY, THE 10TH DAY OF JANUARY 2023

CONSUMER CASE No.188/2022

Ansamma Jose,
No.22, 23, Anu Gardens,
Villianur Road,
Murungapakkam,
Puducherry

Address for correspondence:
C2, Bharathi Road, Block – 9,
NEYVELI – 607801.

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Complainant

Vs.

- 1) The Executive Engineer, Urban O&M,
Electricity Department,
Puducherry
- 2) The Assistant Engineer –Marapalam,
Electricity Department,
Puducherry.
- 3) The Junior Engineer-Murungapakkam,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.188/2022 came up before this Forum for final hearing on 30/12/2022. After hearing both sides and having stood over till this date for consideration this Forum has delivered the following:

The case of the Complainant is as follows:

1. A Complaint was received from Ansamma Jose, on 07/12/2022. In the complaint, the Complainant had stated that she had constructed a new house at

No.22,23 Anu Garden, Murungapakkam, Puducherry. She had applied for a new 3 phase connection 10 months back. The Department stated that the transformer is already overloaded and directed to pay an amount of Rs.1.40 lakhs, stating that no funds and materials are available with them. The Complainant agreed to pay her share, but the Department official wanted full amount to be paid. She was not in a position to bear the full amount. She had requested that the single phase temporary service connection may be converted into permanent service. In the mean while, another house in the same vicinity which started construction later, applied for 3 phase connection was given on 25/11/2022 ignoring her seniority. In the circumstances, the Complainant prayed this Forum to issue necessary directions to the Respondents to regularise the temporary supply into permanent service. Hence, the Complaint.

2. The complaint was registered as C.C. No.188/2022 on 12/12/2022 and copy of the complaint was sent to the Executive Engineer, Urban O&M and others to furnish reply by 23/12/2022. Reply received from the Respondents on 27/12/2022 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 30/12/2022.

3. In the Affidavit dated 23/12/2022, the Assistant Engineer, Marapalam / Respondent No.2 for himself and on behalf of Respondent No.1 and 3 had stated that, one new service connection application was received from the Complainant on 07/03/2022. Based on the application, the site was inspected by the Junior Engineer, Murungapakkam and informed that the building has been constructed as two storied building and provided internal stair case along with Elevator. The proposed connected load of the premises is about 45 KW. Further, the power supply is fed to the above said location from Murungapakkam pet SS 200 KVA and the peak hours reading during April are R.250 A, Y.240A and B.250A respectively and now read as R230A, Y220A, B230A respectively. The existing Murungapakkam pet SS

200 KVA had two LT circuits, one circuit feed LT supply to adjacent areas and another LT circuit supply the applicant's area with 18 span length of 7/2.59 ACSR conductor crossing coconut tree farm and vegetations. Due to this frequent LT line cut and fuse blown out problem are faced by the Murungapakkam section. The local residents of Murungapakkam pet have highly objected in person to extending power supply to the above said location due to frequent LT line cut and fuse blown out on over load and objection letter given. The connected load of the above said applicant's area LT circuit is about 150 KW in which 105KW are existing service connections and the proposed load of the applicant i.e.,45KW is only new connection. Hence, on receipt of application from the Complainant, it was planned to prepare a scheme for rerouting the LT line from the neighbouring Distribution Transformer namely Pappanchavady SS-1200 KVA which is capable to cater the entire load of 150 KW of applicant's area. The peak hour reading of Pappanchavady SS-I as of now reads R180A, Y185A and B180A respectively. Further one person Thiru Tom Thoppan on behalf of the applicant had approached the Murungapakkam O&M and enquired about the status of the application. Presently the line materials such as conductors, poles etc., are not available in the Department and necessary procurement action had already been taken by MMC of the Department and expected to receive in two months. Since this is a sole consumer having a connected load of 45KW which could not be fed from the existing Murungapakkam pet SS 200KVA and in view of the urgency of the consumer, a scheme under K deposit has been prepared for an amount of Rs.137,350/- to extend power supply from Pappanchavady SS-I 200 KVA within shortest possible time. It is also stated that the Department is ready to extend power supply by evolving a scheme under all category which would be executed after receipt of major materials in the stores. Concurrence of the consumer to bear the expenses under K-Deposit was requested vide letter dated 07/12/2022. In response to the notice, one letter was received under speed post from the applicant stating that the applicant is going to approach CGRF for redressal of her grievances. In the

meanwhile, an application had been received for EOPS to 1 number of domestic service with a connected load of 10 KW only load on 05/08/2022 and power supply has been extended on 25/11/2022 in the applicant's area. Further there is no new service connection application received for extension of single phase power supply in favour of petitioner name.

4. In the mean time another rejoinder was received on 15/12/2022 in which the Complainant enclosed a copy of the notice issued by the Assistant Engineer, Marapalam stating that the connected load was more than 50 KW and there is no distribution network nearby. As per Regulation 5.27 of the Supply Code 2018, Distribution network should be provided at the cost of the consumer for extending service connection and requested to concur to the above and failing which the application will be treated as cancelled without any further notice. The Complainant had written to the Department not to do anything which affects the seniority of her application. Further the system of 50 KW connected load is meaningless as nobody properly estimated.

5. Hearing was held on 30/12/2022. Both the Complainant and Respondents were present. During the hearing, the Complainant was asked to furnish the break-up of connected load and on enquiry, whether safety certificate has been obtained from Electrical Inspectorate. The Complainant stated that she had not taken any safety certificate and also not in a position to furnish the break-up of connected load. The Respondents furnished break-up of the connected load which was assessed during the inspection. It is seen that the actual connected load without considering of 15Amp power plug and Elevator load, the actual connected load is only around 10KW. The Respondent further clarified that LT line has to be erected for extending power to the Complainant's house and there is objection to extending power to this Complainant house as already the present condition of the LT line gets snapped at regular interval. The Respondents further stated that there are no poles and

conductors at present stocked, in the Department and it will be hard to extend power supply to the Complainant without strengthening the existing LT network and extension of power supply from the nearby Distribution Transformer. After discussions, the Respondent No.2 and 3 have agreed to issue notice to pay the Deposit and Service connection charges on 02/01/2023 and if the Complainant makes payment on that day, they have agreed to effect service connection on the same day.

Observation: i. The Respondents had not followed the Regulation 5.8, 5.9, 5.52 of JERC Supply Code 2018. The same is reproduced below:

5.8 The Licensee shall have obligation for ensuring that its distribution system is upgraded, extended and strengthened to meet the demand for electricity in its area of supply. Wherever the existing transformation capacity at sub-station end is loaded up to 70% of its capacity, the Licensee shall prepare a scheme for augmentation of such transformation capacity after factoring in (N-1) contingency. The Licensee shall display the monthly updated status of transformation capacity for each sub-station on its website.

5.9 The Licensee shall meet the cost for strengthening / upgradation of the distribution system to meet the demand of the existing consumers as well as future growth in demand through its annual revenues or funds arranged by the Licensee and this cost shall be allowed to be recovered from the consumers through tariff by the Commission subject to prudence check.

5.52 The overall timeline for releasing new electricity connection, from the date of receipt of application shall be as under:

<i>Activity</i>	<i>Island areas</i>	<i>Mainland areas</i>
<i>New connection /additional load where supply can be provided from existing network.</i>	<i>Urban area: 30 days from the receipt of complete application</i>	<i>Urban area: 16 days from receipt of complete application</i>
	<i>Rural area: 30 days from receipt of complete application</i>	<i>Rural area: 24 days from receipt of complete application.</i>

<i>Extension work or of transformer capacity is required</i>	<i>Urban area</i>	<i>Rural area</i>	<i>Urban area</i>	<i>Rural area</i>
	<i>LT 60 days</i>	<i>LT 90 days</i>	<i>LT 30 days</i>	<i>LT 45 days</i>
	<i>HT 120 days</i>	<i>HT 120 days</i>	<i>HT 90 days</i>	<i>HT 90 days</i>
	<i>EHT 180 days</i>	<i>EHT 180 days</i>	<i>EHT 180 days</i>	<i>EHT 180 days</i>
<i>Erection of sub-station to extend supply</i>	<i>On case to case basis as per approval of the Commission</i>		<i>On case to case basis as per approval of the Commission</i>	

Provided that the Licensee may approach the Commission for extension of time specified above in specific cases where extension of Distribution mains requires more time, along with details. In such cases, the Licensee shall inform the consumer about the likely time of completion of work.

ii. The application was received in the Department in March 2022 and the Respondents have not taken any action required to effect Service Connection in spite of the time frames given in the Supply Code and Standards of Performance for each case. The pendency of the application have not been reviewed by higher officials in the Department and the Complainant was forced to suffer, as the Department had not processed the application in time.

ORDER

- i. In view of the above, the Respondents are directed to extend supply within one day i.e., 02/01/2023without any further delay.
- ii. The Respondents are directed to effect without insisting any payment for systems improvement work, except service connection charges and Security Deposit. On extension of power supply, the Respondents have to file additional Affidavit on the action taken within a weeks’ time.
- iii. Thus the Complaint is allowed.
- iv. The Complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF Order by the Licensee, may make an Appeal in prescribed Annexure-IV to the Electricity Ombudsman, Joint Electricity Regulatory

Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Road, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015; Phone 0124-4684708; email ombudsman.jercuts@gov.in within 30 days from the date of this Order under intimation to this Forum and the Respondents.

v. Non-compliance with the directions of Forum by the Licensee shall attract remedial action under Sections 142 and 146, of the Electricity Act 2003.

Dated at Puducherry on this the 10th day of January, 2023

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN