



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: R. DAMODAR

Thursday, the Seventh Day of April 2016

Appeal No. 13 of 2016

Preferred against Order Dt. 03-02-2016 of CGRF In

CG.No: 480/2015 of Hyderabad South Circle

Between

Smt.Ghousia Begum, H-No 18-2-60/32, Nagulbanda, Falaknuma, Hyderabad.

... Appellant

AND

1. The AE/OP/Falaknuma/TSSPDCL/Hyderabad.
2. The ADE/OP/Falaknuma/TSSPDCL/Hyderabad.
3. The DE/OP/charminar/TSSPDCL/Hyderabad.
4. The SE/OP/Hyd.south circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 16.02.2016, coming up for hearing before the Vidyut Ombudsman, Telangana State on 24.03.2016 at Hyderabad in the presence of Sri. Md. Azam - on behalf of the Appellant and Sri. Ch. Srinivasa Rao - AAE/OP/Falaknuma, Sri. K. Shiva Kumar - ADE/OP/Falaknuma for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has LT Category -I Service Connection with SCNo. V3003 849. She claimed that there was a short circuit and high voltage in her house, resulting in her color TV getting burnt. The date and time of passing of the high voltage current is not given. The Appellant sought compensation for the loss sustained by her for the damage to the color TV. She lodged a complaint to that effect with the CGRF.

2. The 1st Respondent submitted a letter dt.16.1.2016 before the CGRF to say that the area was inspected and it was found that some of the electrical appliances

were damaged in Nagalbanda, Ambedkar Nagar areas, which was reported to the 3rd Respondent/DEE/O/Charminar. He further stated that the electrical appliances were damaged as a result of melting of street light leading to short circuiting the phase and neutral wires, causing high current passing through the neutral.

3. The 2nd Respondent admitted before the CGRF that there was short circuit between the phase and neutral, resulting in high voltage and that the necessary earthing was done at the DTR and the damaged 120sqmm AB cable was replaced with a new cable.

4. The CGRF, After going through the material before it, came to the conclusion that the Respondents have rectified the problem by providing proper earthing at the DTR and replacing the defective 120sq.mm AB cable. As far as the damage to the TV is concerned, the CGRF directed the Appellant to approach GHMC authorities, on the ground that the street lights are being maintained by them, through the impugned orders.

5. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal claiming that the 2nd Respondent/ADE/OP/Falaknuma had inspected the neighbourhood and observed that many household appliances were damaged due to high voltage/high current and that her complaint was not acted upon by the 3rd Respondent and that the loss due to damage to her color TV set worth Rs 11,000/- was ignored and no compensation was paid. She sought compensation of Rs 11,000/- from the Respondents.

6. Mediation failed to succeed, as there was no meeting point between the parties. Hence the matter is being disposed of on merits.

7. On the basis of the material on record, the following issues arise for determination:

- i. Whether the Appellant is entitled to compensation of Rs 11,000/- for the damage to her color TV set caused by high voltage?
- ii. Whether the impugned orders are liable to be set aside?

Issues 1 and 2

8. The Appellant claimed that her color TV set was burnt due to high voltage and that the entire locality suffered due to high voltage and that it was the duty of the Respondents to maintain proper voltage and that she is entitled to compensation for

the loss sustained by her. The 1st Respondent claimed that on 16.1.2016 the affected area was inspected and damage to the electrical appliances in Nagalbanda and Ambedkar Nagar was discovered and that it was reported to the 3rd Respondent/DEE/OP/Charminar. The Respondents gave the reason for this high voltage as melting of the street light choke leading to short circuit in a Phase and neutral wires, causing high current passing through the neutral.

9. In this Appeal, the 2nd Respondent filed a reply to the effect that "on verification of the above field area on same day, it was found that one number of street light choke at location H.No 18-2-60/21, Nagulabanda melted and short circuited the phase and neutral, causing high current passing in electrical network." He further stated that the appliances got burnt due to melting of choke of the street light, causing damage to TSSPDCL network and melting of 120 sq.mm cable. He stated that the damaged article was changed and proper earthing was given. He further significantly stated that the GHMC has been maintaining the street lights and its staff replaced the Choke and therefore, he claimed that the Respondents are not liable for the mishap.

10. The Electricity Act, 2003 provides for standards of performance. Sec 57 (2) of the Electricity Act,2003 provides that "If a licensee fails to meet the standards specified under subsection (1), without prejudice to any penalty which may be imposed or prosecution be initiated, he shall be liable to pay such compensation to the person affected as may be determined by the Appropriate Commission."

11. The Regulation 7 of 2004 and Regulation 9 of 2013 contain schedules which specify compensation on the basis of performance to the consumers. These Regulations contain the Licensee's Standards of Performance and compensation to the consumers in case of defect in maintaining the standard prescribed. A perusal of the schedule shows that no specific compensation is prescribed for the damage caused to the consumers appliances in case of passing high voltage.

12. Generally, high voltage is an undesirable situation for a healthy electrical system. High voltage occurs due to various reasons such as short circuit of lines due to heavy gales/winds, falling of foreign material over the lines, falling of tree branches over the lines. In the present case, the burnt choke of a street light resulted in short circuit of the phase and neutral, inducing high voltage instantaneously causing damage to the cable as well as neutral of DTR. It also caused damage to the electrical appliances of the consumers. This type of mishaps are very difficult to predict and controlled by the human interventions, except through regular

maintenance of the equipment and lines etc which would, to some extent, avert similar mishaps.

13. The compensation can be awarded only in cases which are indicated in the schedules to Regulations 7 of 2004 and 9 of 2013. Damage to the household articles due to passing of high voltage is not one of the standards prescribed entitling to compensation for loss or damage to the appliances. There is a provision for payment of compensation only in case of voltage fluctuations not getting corrected within the prescribed time frame.

14. The Appellant failed to give the date of passing of high voltage. It is however clearly admitted by the Respondents that there was passing of the high voltage in the two areas including the area in which the Appellant has been probably living. The Appellant failed to produce any copy of receipt indicating that he purchased the TV in question, its brand and the details of when it was purchased etc. When enquired during the arguments, the representative of the Appellant stated that the TV was purchased about 6 or 7 years back. These details are not so important now because there is no provision in the standards prescribed for payment of compensation for the loss or damage caused to the household articles and there is no other material to consider the plea of the Appellant for compensation. The free advice given by the CGRF to the Appellant that since the GHMC has been maintaining the street lights, the Appellant may approach the GHMC for compensation is quite disconcerting. As far as the DISCOM is concerned, it is liable for the defect in service to the consumers, as enumerated in the schedules given in Regulation 7 of 2004 and Regulation 9 of 2013. The Respondents are found not liable to pay compensation to the Appellant in the light of the standards of performance prescribed. The CGRF has rightly not awarded any compensation to the Appellant against the DISCOM. There are no grounds to interfere with the impugned orders. The Issues 1 and 2 are answered accordingly.

15. In the result the Appeal is disposed of confirming the impugned orders.

Typed by CCO, Corrected, Signed and Pronounced by me on this the 7th day of April, 2016.

Sd/-

VIDYUT OMBUDSMAN

1. Smt.Ghousia Begum, H-No 18-2-60/32, Nagulbanda, Falaknuma, Hyderabad.
2. The AE/OP/Falaknuma/TSSPDCL/Hyderabad.
3. The ADE/OP/Falaknuma/TSSPDCL/Hyderabad.
4. The DE/OP/charminar/TSSPDCL/Hyderabad.
5. The SE/OP/Hyd.south circle/TSSPDCL/Hyderabad.

Copy to:

6. The Chairperson, CGRF, Greater Hyderabad Area TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad.
 7. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.
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