

No. N/82/16

**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,
BENGALURU**

Dated: 18th July 2017

Present:

Shri M.K.Shankaralinge Gowda .. Chairman
Shri H.D.Arun Kumar .. Member
Shri D.B. Manival Raju .. Member

Complaint No. 2/2016

BETWEEN:

Sri S Govindappa
603, 21st Main, 4th T Block,
Jayanagar, Bengaluru- 560 041 ... Complainant
(Represented by Sri K C Naikwadi, Advocate)

AND:

The Managing Director,
Karnataka Power Corporation Ltd.,
Shakthi Bhavan, Race Course Road,
Bengaluru- 560 001 ... Respondent
(Represented by Pragathi Law Chambers, Advocates)

ORDER

1. This Complaint petition is filed by the complainant, a consumer of electricity in the State of Karnataka, alleging that the fire accident on 18.2.2016 in Sharavathi Generating Station was due to the faulty control and relay panels installed 5-6 years ago, replacing the old but reliable ones which were erected in 1962. The complainant has stated that he was actively involved in the erection of the relays in 1962. It is alleged that the trip circuit monitoring system which is important for timely isolation of faults or short circuits of electrical equipment did not exist in the new control and relay panels and this led to the fire. It is alleged that this fire accident has caused extensive damage to the Generating station, besides causing loss of generation of 1000 MW and the people of Karnataka will be the ultimate sufferers due to tariff

hike, owing to the loss of generation and the damage caused to the Generating station. The complainant has alleged that the decision of the Respondent to replace the original relay and control panels was the reason for the accident and hence, he should be held liable for the lapses. He has substantiated his petition by furnishing technical data in support thereof. He has prayed to:

- fix the responsibility and liability on the Respondent and impose fine;
 - advise the Respondent suitably in the matter;
 - black- list the firms which had supplied the defective panels; and
 - disallow the cost of burnt panels in the ARR of the Respondent company.
2. The Respondent has appeared through his Counsel and filed a Memo on 1.12.2016, along with a report of an Enquiry Committee constituted by the Government of Karnataka for investigating into the incident. It is stated in the Memo that the Report is pending consideration before the Government of Karnataka for appropriate action. It is stated that the complaint on hand is misconceived and that the Commission lacks jurisdiction under section 86 of the Electricity Act, 2003 to interfere in the matter when the same is pending consideration before the Government.
 3. The Complainant, in reply to the said Memo, has submitted his response to the Report on 5.1.2017. He has submitted that the relays were replaced on 3.2.2016 and caught fire in a span of 15 days on 18.2.2016, indicating that they were not reliable and they lacked the protection mechanism or the facility to record pre-fault and post-fault data.
 4. In the Statement of Objections filed on 11.4.2017, the Respondent has submitted that the Complaint is not maintainable and the disputes between a consumer and a generating company cannot be adjudicated by the Commission. It is stated that the relays had become obsolete and the spare parts were hard to find. Due to sluggish mechanical parts, frequent maintenance and mal-operation of the electro-mechanical relays, the Protection Committee of the SREB had recommended to replace the four

line protection system and the same were replaced by more efficient Numerical Protection relays in a phased manner. It is stated that timely action was taken by the staff during the accident and all units were shut down. It is stated that the relays functioned satisfactorily by tripping the line instantaneously.

5. We have heard the Complainant and the Counsel for the Respondent and perused the records. We feel that it may not be necessary to go into the aspect of jurisdiction, as the complainant, a Senior Citizen and a learned Electrical Engineer, has come before the Commission showing his genuine concern about the incident and has shown zeal in identifying the reasons for the fire, so that such incidents can be avoided in future. We note that the Complainant has not quoted any provision of the Electricity Act, 2003, to invoke the jurisdiction of the Commission. We also note that the Government had constituted a Committee to enquire into the incident and the report of such Committee is submitted, which is pending consideration before the Government. The Committee in its report has identified the probable reasons for the fire and made several recommendations to KPC and KPTCL on the action that could be taken to avoid recurrence of the incident. It has not fixed responsibility on any person for the incident and in fact, has appreciated the staff for the timely action in preventing escalation of the fire. In any case, we do not find any reasons to initiate action on disallowing the cost of burnt panels as sought by the Complainant.
6. In the circumstances, we deem it appropriate to send the Complaint petition with all the documents produced by either parties to the Government of Karnataka, for being considered along with the Report of the Enquiry Committee constituted by the Government.
7. Ordered accordingly.

Sd/-	Sd/-	Sd/-
(M.K. SHANKARALINGE GOWDA)	(H.D. ARUN KUMAR)	(D.B. MANIVAL RAJU)
CHAIRMAN	MEMBER	MEMBER