

BEFORE THE VIDYUT OMBUDSMAN

Present

**K.Sanjeeva Rao Naidu
Vidyut Ombudsman**

Dated: 21 -04-2011

Appeal No. 3 of 2011

Between

Sri Karri Srinivasa Rao
S/o Late Gurumurthy
MPDO office Road,
New colony, Puritipenta (V) & Post,
Gajapathinagaram (M), Vizianagaram Dist.

... Appellant

And

1. Asst Engineer/Operation/ Gajapathinagaram
2. Asst Divisional Engineer/Operation/ Gajapathinagaram
3. Asst. Accounts Officer/ERO/ Vizianagaram
4. Divisional Engineer/Operation/ Vizianagaram

....Respondents

The appeal / representation filed dt.07.02.2011 (received on 10.02.2011) of the appellant has come up for final hearing before the Vidyut Ombudsman on 06.04.2011 at Visakhapatnam, in the presence of Sri K.Srinivasa Rao appellant and Sri G.Chiranjeevi Rao, DE/O/Vizianagaram, Sri G.Venugopal Rao, ADE/O/Gajapatinagaram for respondents present and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

The appellant filed a complaint before the Forum stating that he had two houses in opposite direction to the road leading to MPDO and he obtained two electric service connections Nos. 3355 and 3888. In the month of January 2010, the respondents have filed a case that he mis-used the electricity from 1st service

connection to the second service connection building and an amount of Rs.4050/- was collected from him. Even for the new connection also they filed a case and from that date they did not take any reading from the new service connection inspite of repeated requests, they did not take the reading. With old service connection he sold the house to Sri Edubilli Muralidhar on 11.09.2010 he paid Rs.300/- for CC charges to the SC No.3355 later they did not receive any amount from the said service connection and directed him to pay the amount for new meter. They have collected Rs.1325/- towards new meter. He is ready to pay the bill amount for the old SC No.3355 and inspite of his request, they did not respond.

2. The respondent No.1 filed his written submissions as hereunder:

“The Malpractice case was booked by the DPE wing as the consumers is utilizing supply for construction purpose for his newly constructed house accordingly, the consumer has paid the charges as per the notice against the Sc.No.3888.

However, in respect of Sc.No.3355, the service was bill stopped since 5/09 while the consumer approached this office, he was advised to pay the necessary CC charges pending against the service but he did not turned up and he approached the Asst. Divisional Engineers/ Operation, Gajapathinagaram and there he had paid the charges for the new connection for the same premises, the service was not released as there is a bill stopped service in the premises. After that, the consumer has not approached this office. The arrears against the service 1103355 was worked out to Rs.6908/- as on 21-11-10. If the consumer produces the proof of payment of the above charges, further course of action will be taken instantaneously. The intimation of arrears to be paid will be sent to consumer through ERO, Rural, Vizianagaram.”

3. The respondent No.3 also filed his written submissions as hereunder:

“The Sc.No.3355 is not reconnected for the last 10 Months and a malpractice case was booked against Sc.No.3888 on the second service of the same consumer. The consumer stated that the has paid Rs.4050/- by DD SBI-VZM and submitted to Electricity Department.

In this connection it is submitted that the Sc.No.3355 is under bill stopped status. There is no filed report by confirming whether the meter removed or not till to date.

The Sc.No.3888 of the same consumer is under live status. A malpractice case was booked against the service. As per ERO records no such case is received either from Asst. Engineer/ Operation/Gajapathinagaram, Asst. Divisional Engineer/Operation/ Gajapathinagaram or from DPE wing and non payment case booked against the Sc.No.3888/Puritipenta, Gajapathinagaram.

A copy of CG.No.322/10-11 was received in this office on 29-11-10 only which was mis-sent to Electricity Revenue Office, Town, Vizianagaram on 26-11-10. However, this office immediately responded and submitted a fax message on 01-12-10 at 3:34 PM and also furnished a detailed written submission enclosed to CGRF/Corporate Office/Visakhapatnam vide in the reference 2nd cited.

The action taken on this subject without any delay and furnished complete data both Sc.No.3355 and Sc.No.3888 of Puritipenta, Gajapathinagaram Section. In such circumstances there is no intentional delay on the ERO part and requested to pass an order that no delay will happen in future which attending consumers grievance please.”

4. After hearing both sides and after considering the material placed before the Forum, the Forum passed the following order:

- 1) “The 1st respondent is hereby directed that revised test report for Sc.No.3888 should be sent to the 3rd respondent immediately.*
- 2) The 2nd respondent is directed to apportionate the CC bill from 5/09 of Sc.No.3555 and sent to 3rd respondent based on the check reading.*
- 3) The 3rd respondent is hereby directed to act upon the revised test report against Sc.No.3888 and regularized the additional load particulars and the check reading against Sc.No.3355 may be obtained and billing is to be done accordingly and change the status from bill stopped to live.*
- 4) The 4th respondent is directed that the said order as per the directions shall implement within 15 days and shall send a compliance within a week after implementation of the order.”*

5. Aggrieved by the said order, the appellant filed this appeal praying that the Forum Chairman, did not hear him and passed the order behind his back and the order passed by him is liable to be set aside.

6. Now, the point for consideration is, “whether the impugned order dt.12.01.2011 is liable to be set aside? If so, on what grounds?”

7. As per the material placed before this authority, the SC No.3355 is under bill stopped status. The arrears were worked out at Rs.6908/- as on 21.11.2010, if the amount is paid further course of action will be taken instantaneously. As the SC No.3355 is not re-connected for the last 10 months and a malpractice case was

booked against SC No.3888 on the second service. The grievance is with regard to SC No.3355, as they have not received the amount inspite of his requests and inspite of his readiness. The bill amount is Rs.6908/- as on 21.11.2010 and there is no grievance with regard to SC No.3888 from the consumer side.

8. It is clear from the above said material, that the respondents have harassed the petitioner for a long period and same has to be compensated suitably.

8. At the time of discussion entertained by this authority in the presence of Sri K.Srinivas Rao, appellant and Sri G.Chiranjeevi Rao, DE/O/Vizianagaram present at CGRF, Visakhapatnam, this authority felt that half of the amount ordered to be paid by the appellant and the respondents shall pay half of the amount from the bill amount raised against the said service connection and I feel that it would meet the ends of justice.

9. In the result, the appeal is partly allowed directing the consumer to pay half of the amount and the respondents to pay half of the amount personally for the latches on their part. The service connection if it is under disconnection shall be connected forthwith. The new meter for which the amount has already paid by the purchaser is also ordered to be fixed immediately after paying the bill amount.

This order is corrected and signed on this day of 21st April 2011

VIDYUT OMBUDSMAN