

VIDYUT OMBUDSMAN
O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004

Present

K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated: 16– 02 - 2012

Appeal No. 44 of 2011

Between
Kum.S.Kiranmai
S-171, Kiran convent
Seshadri nagar, Mahaboobnagar – 509 001.

... Appellant

And

1. Divisional Engineer / operation / CPDCL / Jedcharla / Mahaboobnagar Dist
2. Superintending Engineer / operation circle / CPDCL / Mahaboobnagar / Mahaboobnagar Dist.
3. Senior Accounts Officer/ operation circle / CPDCL / Mahaboobnagar / Mahaboobnagar Dist.

....Respondents

The appeal / representation dt.08.07.2011 (received on 11.07.2011 against the CGRF order of APCPDCL (in CG No.MBNR79/2011-12 Mahaboobnagar Circle dt.20.05.2011). The same has come up for hearing before the Vidyut Ombudsman on 31-01-2012. Sri S.Venkata Subbayya, father of the appellant present and Sri V.Srinivasulu, ADE/OJadcherla present on behalf of the respondents and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

AWARD

The petitioner filed a complaint against the Respondents for Redressal of his Grievances and stated in his complaint as hereunder:

“She is having a commercial service connection No.1271541 for the school being run by her in Amistapur Village, Bhootpur Mandal. Four years back, an unidentified vehicle hit the electric pole and the electricity supply to the school premises was cut. The supply was not restored till date. She approached the concerned electricity officials several times through his representations, but the

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supply is not yet restored. In spite of the above, she is paying the minimum electricity bills (of Rs.85/-) regularly. Hence, requested the Forum to order for restoration of power to his premises and to waive of monthly minimum charges for the no supply period and adjust the payments already made in future bills.

She further requested vide her letter dated 30.4.2011 as follows:

- 1) that the amounts already paid during the no supply period i.e., from the date of non-availability of supply to the date of restoration of supply may be refunded along with interest @ 12% per annum.*
- 2) For immediate restoration of power supply;*
- 3) To pay Rs.10,000.00 towards compensation for the mental agony caused.*
- 4) To pass on any benefits permissible to legally.”*

2. The 1st Respondent has filed his written submission as hereunder:

“It is true that the school is not having power supply since the pole was hit by a lorry.

The Broken pole was replaced and supply to the S.C.No.1271541 will be restored by tomorrow i.e., 12.5.2011”

3. After hearing both sides and after considering the material placed before the Forum, the Forum passed the impugned order as here under:

“The complainant has made a complainant for restoration of supply on 31.7.2009, which was acknowledged by the A.E./O/Bhootpur. The supply to the service is to be restored within 12 working hours in the rural area as per Standards of Performance. The consumer/complainant is regularly paying the monthly minimum charges though her service was not connected by the Respondents. The Respondents are liable to pay penalty of Rs.50/- per day from 3.8.2009 to 11.5.2011 i.e., upto the date of restoration of supply to the complainant’s service

In view of the above, the Respondents are liable to pay Rs.32,450.00 (Rupees thirty two thousand, four hundred and fifty only) as compensation for the delay caused for 649 days @ Rs.50/- per day.

The Superintending Engineer, Operation Circle, Mahaboobnagar is directed to implement the award of penalty and the payment details may be intimated to the Forum within 15 days.

The complaint is disposed off accordingly.”

4. Aggrieved due to non-implementation of the said order, the appellant preferred this appeal alleging that the order passed by the Forum is not implemented and inspite of several requests made by him. No reply is given by the respondents with regard to the implementation of the order and requested this authority to pass an order directing the respondents to comply with the order.

5. Now, the point for consideration is, “whether any direction is to be given by this authority? If so, in what manner ?”

6. The appellant is represented by his father Sri V.Venkata Subbayya, Advocate and requested this authority to pass an order directing the respondents to pay an amount of Rs.32,450/- as ordered by the Forum.

7. Whereas, Sri V.Srinivasulu, ADE/O/Jadcherla on behalf of the respondents present at the time of hearing of the appeal and stated that they are adjusting the same in the monthly future bills.

8. As per the record submitted before this authority at the time of hearing, they have not made any reduction from the future bills. They are making efforts to do the same in future bills but the future bills are less than Rs.100/-. Even if it is adjusted it may take number of years.

9. In the light of the above said discussion, there is no other option for this authority except to order the respondents to pay the same by way of DD for the said amount of Rs.34,250/- by Regd.post/Ack due instead of making efforts in adjusting future bills.

10. The appeal is disposed with the above said direction supra by modifying the order of the Forum accordingly. The order of this authority shall be complied within 30 days from the date of receipt of this order.

This order is corrected and signed on this day of 16th February 2012

VIDYUT OMBUDSMAN