

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: 18-06-2012

Appeal No. 34 of 2012

Between

Smt. Guttikonda. Bhuvaneswari,
W/o. Guttikonda. Rama Rao,
House No. 1-100 / 1, Srinivasa Nilayam,
Raja Rajeswari Nagar,
Kandrikagudem,
ELURU – 534 005. W.G. Dist.

... Appellant

And

1. Assistant Engineer / Operation / APEPDCL / Palakole
2. Asst. Divisional Engineer / Operation / APEPDCL / Town / Palakole
3. Divisional Engineer / Operation / APEPDCL / Bhimavaram

....Respondents

The appeal / representation dt.15.05.2012 received by this authority on 18.05.2012 against the CGRF order of APEPDCL in C.G. No. 425 / 2011-12 of West Godavari District Dt.30.03.2012. The same has come up for final hearing before the Vidyut Ombudsman on 12.06.2012. Sri. G.V. Ramana Rao son of the appellant present. Sri. N. Rama Mohana Rao, Asst. Engineer, Palakole Town, W.G. Dist on behalf of respondents present. Heard both the parties and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

The petitioner filed complaint before the CGRF against the Respondents for Redressal of his Grievances. In the complaint, she has mentioned about her grievances as hereunder:

“Smt. Guttikonda Bhuvaneswari has filed a complaint stating that from the date of release of service, the name has not been changed. Hence approached the Forum for change of her name in the place of existing name on the CC bill.”

2. The second respondent has filed his written submissions as hereunder :

“The petitioner of Smt. G. Bhuvaneswari of Palakol Town field a complaint before Forum for Redressal of Consumer Grievances on 23.12.2011 regarding ‘From the date of supply the service number is not changed and existing name Sri Bhushaiah is to be changed as Smt. G. Bhuvaneswari W/o. Ramarao’.

In this connection, A detailed report is herewith submitted as follows.

As per the consumer complaint she has stated that, her husband approached the Asst. Accounts Officer/ ERO/ Palakol for correction of name as Smt. G. Bhuvaneswari, W/o. Ramarao with relevant records, But AAO/ ERO/ Palakol asked to produce the old demand notices which were given in the name of Smt. G. Bhuvaneswari.

As per consumer history the said service number 3304, Cat – I at Palakol in the name of Sri K. Bushaiah and released on 01.01.1900. The correction of name is not effected by AAO/ERO/ Palakol, on account of non production of old demand notices by the consumer.”

3. After hearing both sides and after considering the material on record, the Forum passed the following order.

- The following order is herewith passed for implementation of respondents immediately.*
- The said service No. 3304, Cat – I in the name of K. Bhushaiah should be cancelled by way of bill stopping he service.*
- At the same time, an application for new service in the same premises in the name of Smt. Bhuvaneswari, W/o. Ramarao should be registered in Call Centre, Palkol duly producing the proof of evidences as per the rules in vougue.*
- During this process, there should not be any power interruption to the complainant upto changing of name as G. Bhuvaneswari, W/o. Ramarao duly allotting new service connection number.*
- All the respondents are herewith directed that the above order should be implemented on war-footing basis duly giving proper advise to complainant for regularizing the same utsupra.*
- A compliance report should be submitted to the Forum with in 15 days form the receipt of this Order duly attending as stated above.*
- With above directions, the CG.No.425/11-12 is disposed off accordingly.*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that the department has committed a mistake by issuing bills in the name of K. Bhushaiah and in spite of her request to change the name, the department did not consider and the Forum advised her to obtain a new server operation. It is also further mentioned that it requires some more expenditure and it is more convenient to change her name in the place of K Bhushaiah and it is a mistake committed by the respondents and her name has to be replaced; and that the Forum has failed to observe the said aspects and therefore, the same is liable to be modified by ordering the department to change her name in the name of the K. Bhushaiah.

5. Now the point for consideration is, whether the impugned order is liable to be set aside? If so on what grounds?

6. The son of the appellant Mr. G.V. Ramana Rao attended before this authority on 12.06.2012 at Visakhapatnam and reiterated the same grounds, by projecting the mistake committed by the department.

7. Sri. N. Rammohan Rao assistant engineer Palakol attended before this authority and stated that the appellant has not come forward to issue a new service connection in her name and they could not complete it and it would be difficult for them to change the name as the entire process is computerized.

8. It is clear from the record, that the appellant purchased the property from one K. Krishna Murthy son of Subrahmaniam and his undivided minor sons Satyanarayana and Venkateswarlu. The title origin is never in the name of Bhushaiah. It is purely a mistake committed by the department in entering the name. Either it must be in the name of appellant or her predecessors in title, but not in the name of Bhushaiah who is no way connected with the property. When it is a mistake committed by the respondents it is for them to rectify the same. They cannot escape that it is computerized and it is very difficult for them to incorporate the same. The appellant cannot be penalized for the mistake of the department. She cannot produce old bill in her name as it is her case that it is not in her name. The Forum has failed to observe the above said aspects and passed the impugned order. Hence the impugned order passed by the Forum is liable to be set aside.

9. In the result, the appeal is allowed and the impugned order is hereby set aside. The respondents are directed to change the name of the appellant in the place of Bhushaiah by obtaining all the relevant documents i.e., copies of title deed, house tax receipts etc., from the appellant within a month from the date of this order. No order as to costs.

This order is corrected and signed on this day of 18th June, 2012

Sd/-
VIDYUT OMBUDSMAN