

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: 31-07-2012

Appeal No. 45 of 2012

Between

Sri. Ganji. Sathaiah,
S/o. Narayana
Eduloor, Kattangur Mandal,
Nalgonda Dist.

... Appellant

And

1. Addl. Asst. Engineer / Operation / APCPDCL / Kattangur / Nalgonda
2. Asst. Divisional Engineer / Operation / APCPDCL / Nakerekal / Nalgonda
3. Junior Accounts Officer / Sub-ERO / APCPDCL / Nakerekal / Nalgonda
4. Divisional Engineer / Operation / APCPDCL / Nalgonda
5. Superintending Engineer / Operation / APCPDCL / Nalgonda Circle / Nalgonda

....Respondents

The appeal / representation dt. 25.06.2012 received by this authority on 29.06.2012 against the CGRF order of APCPDCL in C.G. No. NLG-105 / Dt. 18.04.2012 / Nalgonda Circle dated 30.05.2012. The same has come up for final hearing before the Vidyut Ombudsman on 26.07.2012. Sri. Ganji. Sathaiah, the appellant present. Sri. K. Sanjeeva, AE / O/ Kattangur; Sri. N. Brahmachari, JAO / Sub-ERO / Nakerekal and T. Bhavani Prasaid Sr. Asst. / Sub-ERO / Nakerekal on behalf of the 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, he has mentioned about his grievances as hereunder:

He is a poor weaver having HSC No.306 of Eaduloor, Kattangur Mandal. He is paying the CC bills regularly to the said service. While it so, a bill for the month of January 2011 issued noting the reading as 5850 instead of 4850, carelessly. When brought this to the notice of AE, Operation, Kattangur, he agreed that the bill was issued with wrong reading. He asked the JAO/Nakirekal to rectify it. From that day on wards, Sri Biksham, Lineman developed a grudge on him and issued a bill for Rs.1,155/- for the month of February 2012. When he enquired this with Sri Biksham, he replied that he does not know anything about it and told him to pay the bill on 30-03-2012. During his absence, the said line man disconnected the supply to his home. When he enquired about the disconnection with Sri Biksham on 3-03-2012, he behaved roughly with him and tried to beat him. The complainant brought this issue to the notice of the AE, Kattangur over phone, but he failed to take any action on the said Biksham. Hence, the complainant reported the matter to the local Police Station of Kattangur.

The reading as on 31-03-2012 was 6511 where as the bill issued for February 2012 with reading of 6711. Hence, it is requested to enquire why the bills are being issued repeatedly with the inflated reading, and take action on the concerned. He requested to take action on Sri Biksham who misbehaved and threatened the complainant.

2. No respondent furnished written submissions.
3. The first respondent has deposed before the Forum as hereunder :
On receipt of the complaint regarding wrong reading in respect of SC.No. 306 Edulur, he visited the premises of the said service and took the check reading as 6685 on 08-05-2012 and addressed the ERO for bill revision based on the check readings. Accordingly, the bill was revised taking the reading as 6685 instead of 6711; and that he warned the lineman and Line Inspector in the matter. A memo was issued to Sri Narsi Reddy, Line Inspector vide D.No.14, dt.8-05-2012 calling his explanation, to take action accordingly. The 15 days notice was not served on the consumer before disconnection of supply.

4. The third respondent has deposed before the Forum as hereunder :
On receipt of the complaint from the CGRF, he wrote a letter to the AE, Operation, Kattangur vide D.No.47, dt.5-05-2012 regarding the wrong reading in respect of SC.No.306, Edulur. On 9-05-2012, the AE, Operation, Kattangur recommended for bill revision based on the check reading dt.8-05-2012. As per the recommendation of the AE, Operation, Kattangur the bill was revised and Rs.46/- was withdrawn. The consumer would be informed regarding the bill revision, separately.

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

The Complainant in this case, Sri Ganji Sathaiah, a power loom weaver complained that his service was disconnected on March 30, 2012 for non-payment of the CC bill for January 2012 about which he has already complained and the dispute was still pending. While the meter reading on 31-03-2012 was 6511 units a bill was issued to him showing the reading as 6711. The AE, Operation, Kattangur, Sri K. Sanjeeva, deposed that the meter reader had given an exaggerated reading.

Without giving a notice in writing under 56(1) of the Electricity Act, 2003 and disconnecting the power supply of the Complainant was highly illegal. The case is dismissed but the SE is directed to warn the Lineman and Line Inspector to record proper readings.

The complaint is disposed accordingly.

6. Aggrieved by the said order, the appellant preferred this appeal questioning the same that the service connection was disconnected without giving any notice under section 56 (1) E Act, 2003 and when he questioned the line man Bhiksham he misbehaved with the appellant by abusing the appellant and attempted to beat him and requested this authority to resolve the dispute.

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

8. The appellant and his son attended before this authority on 26.07.2012 and stated that the wrong bill was rectified and the service connection was also restored, but his anguish against the said line man who has misbehaved and made an attempt to assault him was not satisfied and requested this authority to take action against the said line man. The respondents are represented by K. Sanjeeva AE, operation, Katangar, and Brahamachari, JAO, SERO, Nakerekal, Sri. T. Bhavani Prasad Senior Assistant present representing the respondents also stated that the dispute is resolved except action against the said line man.

9. This authority is competent only to resolve the disputes between the consumer and the licensee but not by taking any action against the employees either on departmental side or otherwise. At best it can recommend the disciplinary authority to take action against the concerned official for his dereliction of duty and misbehaviour with the consumers. Since the dispute with regard to the service is resolved it is for the CMD APCPDCL to take action against the said line man Biksham by initiating appropriate disciplinary action against the said line man. The Forum has made an observation that the complaint is dismissed. It is an incorrect observation and the same is hereby set aside. The Forum ought to have issued direction for compliance of deficiency instead of dismissing the complaint.

10. It is the duty of the employee to respect the consumers who are regularly paying the bills and giving utmost respect to the officials, when they are approaching the officials. Their interest has to be safe guarded by the highest authority in the department, if the modesty of such an individual is effected by the miscreants in the department. It is high time for the disciplinary authority to initiate appropriate action against the erring official. I hope and trust that the disciplinary authority will initiate suitable action against the said individual. i.e. line man Bhiksham

11. With this observation, the appeal is disposed. No order as to costs.

This order is corrected and signed on this day of 31st of July, 2012

Sd/-

VIDYUT OMBUDSMAN