

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: 30-07-2012

Appeal No. 46 of 2012

Between

Sri. D. Chandramouli
M/s. Lingameshwara Mini Rice Mill,
Husnabad, Kodangal,
Mahaboobnagar Dist

... Appellant

And

1. Addl. Asst. Engineer / Operation / APCPDCL / Kodangal / Mahaboobnagar
2. Asst. Divisional Engineer / Operation / APCPDCL / Kodangal / Mahaboobnagar
3. Asst. Accounts Officer / ERO / APCPDCL / Narayanapeta / Mahaboobnagar
4. Divisional Engineer / Operation / APCPDCL / Mahaboobnagar
5. Superintending Engineer / Operation / APCPDCL / Mahaboobnagar Circle / Mahaboobnagar

....Respondents

The appeal / representation dt. 29.06.2012 received by this authority on 29.06.2012 against the CGRF order of APCPDCL in C.G. No. MBNR-128 / Dt. 13.02.2012 / Mahaboobnagar Circle dated 29.03.2012. The same has come up for final hearing before the Vidyut Ombudsman on 26.07.2012. Sri. D. Mallesh Kumar Son of the appellant present. Sri. D. Manyam, AAO / Narayanapeta and Sri. M. Gopal, AE / O / Kodangal 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:

The DTR of ISC No.478, Lingameswara Mini Rice Mill, Husnabad, burnt on 05-06-2011 and the same was replaced with healthy one on 06-06-2011. They are not running their rice mill as on now. But the CC Charges bill for July issued on a very high side for Rs.87,988/-(Bill copy enclosed). He informed AAE/ADE/Operation/Kodangal in the matter. But he did not take any action. Again he met the new ADE who responded and caused the inspection of DTR by the ADE/M&P on 31-10-2011. The ADE/M&P told that he cannot inspect the Transformer, which was already failed. The complainant informed the matter to the DE, Operation, Mahaboobnagar on 01-11-2011. No action is taken so far. Hence requested to take necessary action to solve his problem.

2. The second respondent has furnished written submissions as hereunder :

He requested the DE/TRE/Mahaboobnagar vide Lr.No.513, Date 15-12-2011 to arrange the testing of 63 KVA Transformer feeding the industrial load of SC.No.478 at Hasnabad (V), Kodangal (M) to arrive at the percentage of core losses. Further action will be taken on receipt of DTR test report.

3. The first respondent has deposed before the Forum as hereunder :

The failed DTR is programmed for detailed testing on 12-03-2012 by AE/TRE/Mahaboobnagar. The consumer informed about the place and testing and requested to be present. The failed unit will be replaced by a healthy one on 8-03-2012. The July bill issued for the service will be examined for revision based on receipt of test report of the failed DTR from ADE/TRE/Mahaboobnagar, in consultation with ERO.

4. The third respondent has deposed before the Forum as hereunder :

To arrive at the percentage core losses, the ADE/TRE/Mahaboobnagar is contacted for detailed survey of the failed DTR. The testing is programmed on 12-03-2012. Based on the TRE Test Report of Transformer action will be taken to revise the July bill of the service, if required.

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

Both the complainant and the Respondents have clearly stated that the DTR was replaced on 5-6-2011. Obviously that was also not functioning properly as an inspection on 31-10-2011 revealed that it had failed. That being so, it should have been replaced within 48 hours as per the Standards of Performance of the APERC. As it was not done, the Complainant is entitled to a compensation of Rs.100/- per day from 2-11-2011 till the day when the failed DTR is replaced.

If it was observed on 31-10-2011 that the DTR had failed, one fails to understand why it was programmed to be tested on 12-3-2012 after a delay of more than five months.

The complaint is also regarding excess bill in the month of August 2011. It is observed that in the month of August in 2008, 2009 and 2010, the consumption is 1282, 1924 and 1759 units respectively. The rice mill was working in August those years. The Complainant avers that the rice mill did not function in August 2011. Even if it had been working, the consumption could not have been 16095 units. It is clear that the reading is wrong and hence the bill is excessive.

The Respondents are directed to bill the complainant for the average number of units consumed in the month of August of the previous three years i.e., 1655 units $(1282+1924+1759 \text{ divided by } 3)$. This revision of the bill should be done in addition to the compensation payable for the delay in replacing the Transformer.

The complaint is disposed accordingly.

6. Aggrieved by the said order, the appellant preferred this appeal questioning the same that the respondents have not honored the order passed in CG.No. MBNR-128/13.02.2012 and when he requested them, they refused to take action and they are not taking any action for compliance and requested this authority seeking redressal of his grievance.

7. Now the point for consideration is, whether any direction is necessary to be given to the respondents? If so in what manner?

8. The son of the appellant Sri. Mallesham appeared before this authority and Sri. B. Manyam AAO, of Narayanpet and Gopal, AAE, Operation, Kodangal attended before this authority at the time of hearing on 26.07.2012. The respondents filed a letter dated. 23.07.2012 honoring the orders passed by the CGRF. The calculation in the impugned letter states as hereunder.

Arrears upto 07/2012		Rs. 180722=00
Credit JE	(-)	Rs. 72430=00
Penalty from 2/11/2011 to (-)		Rs. 14800=00
28/03/2012.		
Total Arrears	:	<hr/> 93492=00

9. When the same letter is put to the notice of the son of the appellant, he stated that he has also received the copy of the same and there is no grievance on the part of compliance.

10. At this juncture, it is necessary to point out that the respondents are not acting in accordance with the rules and procedure. When the DTR is failed they have to replace the same immediately avoiding penalty. When wrong billing is made and when the same is brought their notice, they have to rectify the same avoiding the approach before the Forum and there after this authority. This has to be observed by the respondents in future scrupulously without fail.

10. With the above said observation, the appeal is disposed accordingly. No order as to costs.

This order is corrected and signed on this day of 30th of July 2012

Sd/-
VIDYUT OMBUDSMAN