

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

Present

**K.Sanjeeva Rao Naidu**  
Vidyut Ombudsman

**Dated: 06–09-2012**

**Appeal No. 53 of 2012**

Between

Sri. Namburi. Venkata Surya Satyanarayana Raju (Chinchinada Raju)  
S/o. Narasimha Raju, D. No. 2-143, Lankalakoderu, Palakol (M) W.G. Dist  
**... Appellant**

**And**

1. Assistant Engineer / Operation / APEPDCL/ Yelemanchili / W. G. Dist
  2. Asst. Divisional Engineer / Operation / APEPDCL / Narasapuram / W.G. Dist
  3. Divisional Engineer / Operation / APEPDCL / Bhimavaram / W.G. Dist
- .....Respondents**

The appeal / representation dt. 16.07.2012 received by this authority on 20.07.2012 against the CGRF order of APEPDCL C.G. No. 275 / 2011-12 of West Godavari District Dt. 07.10.2012. The same has come up for final hearing before the Vidyut Ombudsman on 05.09.2012. Sri. S. Chandra Mohan Reddy, Advocate for the appellant present. Respondents absent but they filed a letter dt. 13.08.2012. Heard the counsel for the appellant and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

**AWARD**

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

*The appellant has filed a complaint stating that he applied for new electrical service connection on 14-04-2011, vide new service connection No.14459 and paid requisite charges as desired by the department by way of Bank*

*Demand drafts so far, the service connection has not been released. Hence, he prayed for the Forum to arrange compensation for delay in release of new service connection and take suitable disciplinary action against the concerned for short coming of service.*

2. The 2<sup>nd</sup> respondent has filed his written submission as detailed below.

*“Sri.Namburi. Venkata Satya Suryanarayana Raju, S/o. Narasimha Murthy Raju at Chinchinada (V) in Elamanchili Section registered an application for releasing of 1no industrial service of 25HP to the fish tank. After obtained work order AE/Operation/Elamanchili is drawn all the line material from the stores on 21.05.2011 and on 06.06.2011. For getting 9.1 Mts poles requisitions are given to Assistant Divisional Engineer/Civil/Eluru. Due to non availability of 9.1 meter poles at Vatluru/Eluru the work is pending. At the same time AE/O/Elamanchili asked the party to complete the work with available 8 meter poles instead of 9.1 meter pole. But the party has not agreed to complete the work with 8 Mts poles. As the party stated that he had paid estimate charges for 9.1 mets poles, so the work should be completed with 9.1 meter poles only. Hence AE/O/Elamanchili is unable to complete the work with non availability of 9.1 meter poles only. Hence AE/O/Elamanchili is unable to complete the work with non availability of 9.1 Mts poles. Similarly another party Sri Sathineedi Rama Mohan Rao registered the application for release of an industrial service of 20HP at Kaza (V) elamanchili section. This estimate is also prepared with 9.1 mts poles for releasing the service. Due to non availability of 9.1 Mts poles, this work is also pending. But this party is given consent letter to the AE/O/Elamanchili to complete the work with 8m poles instead of 9.1 Mts poles. Hence AE/O/Elamanchili is awarded the work to the contractor for completion with available 8Mts poles.*

*The information regarding E/S Sri Namburi Venkata Satya Suryanarayana in the notice*

- 1. Date of registration of NSC No. 14459 at Call Centre is on 14.04.2011*
- 2. Date of receipt of application from Call Centre to section office or concerned office is on 15.04.2011.*
- 3. Date of processing of estimate is on 27.04.2011*
- 4. Date of sanction of estimate is on 04.05.2011*
- 5. Date of intimation to the consumer for required charges is on 07.05.2011*
- 6. Date of issue of work order is on 13.05.2011*
- 7. Date of proposal made for getting allotment of material is on 13.05.2011*
- 8. Date of drawl of material is on 21.05.2011 and 06.06.2011except 9.1m poles*
- 9. Date of awarding work to the contractor to carry out the work is on 11.09.2011*
- 10. Date of completion of work will be completed on 25.09.2011.*
- 11. On which date the section officer or concerned officer issue notice to the consumer before releasing of service with dated acknowledgement the work is under progress and notice will be issued before releasing of the service.*

12. *Details of any correspondence made to the consumer regarding delay with proper reasons-oral correspondence is made to the consumer from the AE/O/ Elamanchili regarding delay.*
13. *Statuary reason for delay is the non availability of 9.1 Mts Poles.*
14. *The service will be released on 30.09.11*
15. *Stock position of material if so desired*
16. *Date of payment of charges with details Security Deposit amount Rs. 12500/-, DD No. 345491 and PCB No. 76253, Dt. 07.05.2011 and service line charges Rs. 215802/-, DD No. 345493 and PCB No. 78003, Dt. 07.05.11."*

3. The Forum taking into cognize of the written submissions of the Respondent No. 2, passed the following order.

- *After through verification of records, written submission and Statement given by the then Assistant Engineer/Operation/Elamanchili, the following order is herewith passed for implementation.*
- *There is a deficiency of service in releasing new service connection infavour of Sri Namburi Venkata Satya Suryanarayana Raju, S/o. N.M. Raju, Chinchinada Village, Elamanchili Mandalam.*
- *The Respondents are liable to pay compensation to the effected consumer under Schedule II, Guaranteed standards of performance against Regulation No. 7 of 2004 for the delay in releasing new service due to non-availability of 9.1 Mts. Poles over and above 60 days from the date of payment of necessary charges i.e 07.05.2011 to till to date of release of supply @ 50/- subject to condition of finalization of enquiry report of Divisional Engineer/Enquiries/ Visakhapatnam.*
- *A compliance report should be submitted within 15 days after implementation of this order as stated above.*
- *With the above directions, the CG No.275/11-12 is disposed off accordingly.*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same, that after giving the service connection they have shown the arrears of Rs.1,71,565/- and issued two bills one for Rs.7,961/- and another for Rs.1,71,565/- and when he approached the AE he promised to rectify the mistake and accordingly he paid Rs. 26,600/-, but no receipt was issued and all of a sudden ADE came without settling the dispute disconnected the service connection on 17.06.2012; and that he paid Rs. 40,000/- to Sri. Konda. Satyanarayana line man but he did not give any receipt and all the officials caused mental harassment and requested this authority to take action against the said officials.

5. The petitioner filed a petition before the Forum for release of service connection and there was an inordinate delay in releasing the service connection. The Forum passed orders for payment of Rs. 50/- per day and there was delay of 109 days after deducting 60 days grace period. In total they have to pay a sum of Rs.5,450/-. The petitioner ought to have filed a petition for implementation of the order, but projected a different case before this authority which is not the subject matter before the Forum.

6. The appellant failed to attend before this authority on the earlier occasion and also on 05.09.2012 but one S. Chandra Mohan Reddy advocate filed valkalath and submitted his written arguments as hereunder:

- i) The Forum ordered Rs.50/- from 07.05.2012 till the date of release and inspite of the order there is delay in giving the service connection.*
- ii) The compensation awarded by the forum is not paid.*
- iii) All of a sudden they issued a bill for Rs.1,79,546/- as arrears and he approached concerned authority they promised to rectify the same, but they did not do it.*
- iv) Again in the month of June 2012 an amount of Rs. 1,32,863/- is shown as arrears without disclosing the details and on 17.06.2012, the respondents officials disconnected the power supply stating that he failed to pay the entire amount.*
- v) He took the service connection for aquaculture and sustained a loss of Rs.10,00,000/- as the shrimp seed which were in the tank died due to disconnection of service.*
- vi) In spite of the letter addressed by the appellant in umpteen Nos. the respondents did not act accordingly.*
- vii) The respondents caused immense financial loss and also put him to the public ridicule*
- viii) Hence this authority may please to look in to the matter and do justice to him.*

7. Now the point for consideration is, whether the petitioner is entitled for any relief mentioned in the grounds of appeal? If so in what manner?

8. The respondents though attend before this authority on 09.08.2012, and submitted the papers with regard to release of service connection on 20.10.2010 and the readings of the meter and when contacted today, the AE stated that the written statement submitted by them may be looked in to and pass appropriate orders.

9. It is very clear from the impugned order, that the Forum has rightly considered and imposed a sum of Rs. 50/- per day for each days delay. The delay is accumulated to 109 days when calculated from 07.05.2011 to 20.10.2011 after

deducting 60 days. Therefore, the appellant is entitled for a sum of Rs. 5,450/-. The respondents are directed to pay the same within 15 days from the date of receipt of this order.

10. So far as disconnection of the service is concerned, no doubt it is not within the purview of this authority as the same is not the subject matter before the Forum as well as before this authority. However, when the appellant has brought to the notice of the high handed activities of the respondents by projecting the bills pattern, this authority is inclined to probe in to the matter as the very bills issued by them are with many irregularities.

11. It is pertinent to note that the service connection was issued in the month of October and the monthly bill was shown as Rs. 2,648/- in the month of December, but on 23<sup>rd</sup> January the amount is shown as Rs. 1,68,917/-. In the next month it is shown as Rs.7,981/- likewise the pattern is not in an uniform manner, but with irregular pattern. The very bill in the month of January 2012 shows Rs.1,68,917/- is not only impossibility, but also an absurdity. So a duty is cast upon this authority to direct the respondents to revise the enter bill pattern right from the beginning till the end i.e. 23.07.2012. After deducting the payments made and prepare a revised bill and serve the same on the appellant. The appellant is directed to pay half of the amount from out of the revised bill and soon after paying the said amount, the respondents are directed to restore the service connection forthwith.

12. Still the appellant feels that there is any discrepancy in the said bill, the appellant is at liberty to approach the Forum (CGRF Visakhapatnam) for further revision of the said bill. The respondents are directed to pay the amount of Rs.5,450/- within 15 days from the date of receipt of this order. With these observations, the appeal is disposed. No order as to costs.

This order is corrected and signed on this day of 6<sup>th</sup> September, 2012.

Sd/-

**VIDYUT OMBUDSMAN**