BEFORE THE VIDYUT OMBUDSMAN
Andhra Pradesh :: Hyderabad

:: Present ::

C. Ramakrishna

Date: 04-02-2016

Appeal No. 20 of 2015

Between

Sri. C. S. Ram Babu, Partner of M/s. Sri Ram Oil Mills, 233/1, 239 A, Therannapalli Feed, Tadipatri, Anantapur District.

... Appellant

And

1. The SE/Operation/APSPDCL/Anantapur/Anantapur District
2. The DE/Operation/APSPDCL/Gooty/Anantapur District
3. The ADE/Operation/APSPDCL/Tadipatri/Anantapur District

… Respondents

The above appeal filed on 05-10-2015 has come up for final hearing before the Vidyut Ombudsman on 05-02-2016 at Tirupathi. The appellant, as well as respondent 3 above were present. Having considered the appeal, the written and oral submissions made by the appellant and the respondents, the Vidyut Ombudsman passed the following:

AWARD

2. The appeal arose out of the complaint of the consumer about non-return of the then existing 250 kVA DTr by the DISCOM to the appellant consequent to the upgradation of his load and installation of a new 400 kVA DTr. On approaching the

CGRF, the Forum had ordered way back on 31-10-2009 that the DTr shall be returned to the consumer, among other things. As the respondents had not implemented the order of the CGRF in spite of a lapse of nearly six years, the appellant approached this authority seeking justice.

3. The appellant stated in his appeal that the CGRF had ordered for the return of his 250 kVA DTr on 31-10-2009; that even after a lapse of six years, the respondents had not returned the DTr; that he had purchased the DTr at a cost of Rs. 200,000/-; and that therefore, he may be reimbursed either Rs. 200,000/- or given the DTr that was taken away by the DISCOM's authorities at the time of upgrading his service connection. He stated that the DISCOM's authorities had taken the 250 kVA DTr on 21-07-2007.

4. Notices were issued for hearing the matter. The respondent DE reiterated the stand taken by the DISCOM before the CGRF and stated in his written submissions that the 250 kVA DTr had become the property of the DISCOM by virtue of it being maintained by the DISCOM. He relied on the wording of clause 5.3.2.2 of the GTCS, the Tariff Order 2009-10 along with the fact that the DTr was maintained by the DISCOM from 29-01-2004 to 08-06-2007 to support his stance.

5. The respondent ADE has stated in his written submission that he could not return the DTr to the consumer for the reason that the specifications of the DTr that was removed from the consumer's premises are not found matching with the one that is reportedly removed from his premises.

6. During the course of the hearing on 26-12-2015, the respondents had submitted

that they are willing to return a DTr of 250 kVA capacity to the consumer, but not necessarily of the same make and specifications, as they are not in a position to trace out a DTr matching with the specifications / details being claimed by the consumer. The appellant had, on his part, come forward to take any DTr, but of the same capacity, if the same is given to him in good working condition. On so finding that there is some mutually agreeable solution in sight, this authority had given an interim order on 26-12-2015 directing the respondents to return a DTr of 250 kVA capacity to the consumer in good working condition. The matter was posted for hearing again 03-02-2016 to see if the appellant remains satisfied with the interim solution so ordered.

7. On 03-02-2016, the respondent ADE had reported that a DTr of 250 kVA capacity was handed over in good working condition to the appellant as directed in the interim order and that the appellant is happy with the outcome. The appellant also confirmed that he is happy with the outcome and stated that he treats the matter as settled. The interim orders issued in the matter get subsumed in this main order.

8. In view of these developments, the matter is disposed of as settled.

9. This order is corrected and signed on this 4th day of February, 2016.

10. A digitally signed copy of this order is made available at www.vidyutombudsman.ap.gov.in.

VIDYUT OMBUDSMAN

To

1. Sri. C. S. Ram Babu, Partner of M/s. Sri Ram Oil Mills, 233/1, 239 A, Therannapalli Feed, Tadipatri, Anantapur District.

2. The Superintending Engineer, Operation, APSPDCL, Anantapur District - 515 001
3. The Divisional Engineer, Operation, APSPDCL, Gooty, APSPDCL, Anantapur District - 515 401
4. The Assistant Divisional Engineer, Operation, APSPDCL, Tadipatri, Anantapur District -515 411

Copy to:

5. The Chairman, C.G.R.F., APSPDCL,19/13/65/A, Sreenivasapuram, Near 132 kV Substation, Tiruchanoor Road, Tirupati - 517 503
6. The Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004