



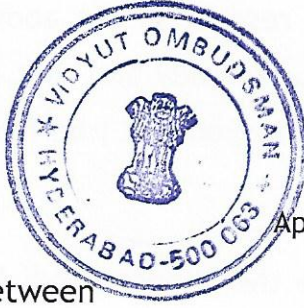
**BEFORE THE VIDYUT OMBUDSMAN
Andhra Pradesh :: Hyderabad**

:: Present ::

N. Basavaiah, B.Sc, B.L.

Date: 27-12-2016

Appeal/Representation No. 13 of 2016



Between

Sri. U.N.Moorthy, Plot No. 30, Palace Layout, Peda Waltair, Visakhapatnam.

...Appellant/ Complainant

And

1. The AE/Operation/APEPDCL/Koruprolu/Via Yelamchili/Visakhapatnam
2. The AAO/ERO-Anakapalli/Nidanamdhodi/Visakhapatnam
3. The ADE/Operation/APEPDCL/Yelamanchili/Visakhapatnam
4. The DE/Operation/APEPDCL/Anakapalli/Visakhapatnam

... Respondents

The above appeal filed on 01-06-2016 has come up for final hearing before the Vidyut Ombudsman on 17-12-2016 at Visakhapatnam. The complainant, as well as the respondents 1 to 4 above was present. Having considered the appeal, the written and oral submissions made by the complainant and the respondents, the Vidyut Ombudsman passed the following:

ORDER

1.This appeal has been preferred by the appellant-complainant against the order dated. **23-05-2016 in C.G.NO:85/2016/Visakhapatnam** circle, passed by the **Forum for Redressal of Consumer Grievances in Eastern Power Distribution Company of A.P Limited, Visakhapatnam**, dismissing the complaint filed by the complainant.

2. The case of the appellant- complainant is that his agriculture



electricity service connection No.1925/000251 situated within Gujaratipeta distribution of Koruprolu section was released on 18.10.2003, that he received a CC bill for the month of May, 2006 with respect to the above service connection showing as 10242 billed units abnormally and that as no action was taken on his representation to the first respondent, he filed the complaint on 02/05/2016.

3. The first respondent recommended to revise the abnormal bill by taking the average consumption of 400 units for that month and to revise the demand. But the case of the remaining respondents is that there is no ground to revise the consumption of units as there is every possibility of suppression of consumption in field due to the erratic readings and the review of the consumption arises only if the meter is defective, that there is no meter testing report indicating that the meter is faulty, that the meter was replaced on 08/05/2015 on the ground that the meter was stuck up and that as the complainant had not paid cc bills, service connection was disconnected on 10.5. 2015.

4. No oral or documentary evidence was adduced before the Forum. The Forum dismissed the complaint accepting the case of the respondents 2 to 4. Not satisfied with the above order, the complainant preferred this appeal.

5. Even though opportunity was given to both parties to lead evidence, they did not utilize the opportunity given to them to lead evidence.

6. The following point is framed for consideration:
Whether the representation can be upheld?

7. Point: There was inaction on the part of both sides for about 10 years. The complaint has been filed in the year of 2016 questioning the excessive billing made in the cc bill of 2006. The respondents did not make any attempt to disconnect the service connection for about nine years. It is not in dispute that the meter was replaced on the ground that it was stuck up in 2015. It is not the case of the respondents 2 to 4 that the above cc bill is



not abnormal. It is also not in dispute that the appellant made a representation to the first respondent regarding the excess billing. There is no material that any employee of the respondents inspected and checked the correctness of the meter within the time frame after the representation given to the first respondent. Even the complainant did not take any steps to have a special test of the meter carried out.

8. Considering the circumstances of this case, I have felt this is an appropriate case to take a recourse to mediation and it has been done. The respondents have submitted that the total amount due from the complainant was Rs. 1,38,569 by the date of hearing of this case, i.e., on 17/12/2016, and they are prepared to deduct Rs. 23,122/- from the above amount and that they will reconnect the service connection if Rs. 1,15,497 is paid. The appellant submitted that he is prepared to pay Rs 80,000/-. After mediation, the appellant agreed to pay one lakh in five monthly instalments and the respondents have submitted that the matter is left to the description of the this authority.

9. Therefore, I feel that passing an order directing the appellant complainant to pay a sum of Rupees One lakh in five monthly instalments to the respondents and directing the respondents to restore the connection to the land premises of the appellant on his payment of the first instalment will meet the ends of justice. This point is thus answered holding that the representation can be partly upheld.

10. In the result, the appeal- representation is partly upheld directing the appellant/complainant to pay a sum of Rs. 1,00,000/- in five monthly instalments of Rs. 20,000 each commencing from 01-01-2017 onwards and further directing the respondents to restore the service connection of the appellant within one week after the 1st instalment of Rs. 20,000 is paid on 01-01-2017. It is needless to mention that the respondents are liberty to disconnect the electricity service connection in case of appellant committing default in payment of any subsequent monthly instalments. In the present facts of this case, both parties are directed to bear their respective costs.



11. This order is corrected and signed on this 27th day of December, 2016.

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



[Handwritten Signature]
VIDYUT OMBUDSMAN 27/12/16

To

1. Sri. U.N.Moorthy, Plot No. 30, Palace Layout Pedawaltair, Visakhpantam - 530017
2. The Assistant Engineer, Operation, Koruprolu, APEPDCL, Operation Section, Koruprolu, Via Yelamanchili, Visakhapatnam District - 531 083
3. The Assistant Accounts Officer, ERO-Anakapalli, Nidanamdhodi, Gavarapalem, Visakhapatnam District - 531 001.
4. The Assistant Divisional Engineer, Operation, Yelamanchili, APEPDCL, Operation Sub-Division, Yelamanchili, Yelamanchili Mandal, Visakhapatnam District - 531 055
5. The Divisional Engineer, Operation, Anakapalli, APEPDCL, Operation Division, Anakapalli, Nidanamdhodi, Gavarapalem, Visakhapatnam 530 008.

Copy to:

6. The Chairman, C.G.R.F., APEPDCL, P&T Colony, Seethammadhara, Near Gurudwara Junction, Visakhapatnam - 530 013.
7. The Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004.