

VIDYUT OMBUDSMAN
O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004

Present

P.Solomon Herme
Vidyut Ombudsman

Dated 29-10-2011

Appeal No. 55 of 2011

Between
Sri KVSNE Ganesh
S/o Rambabu
Tellavanipallem Gramam, Tuni (M), E.G.Dist

..... Appellant

And

1. Assistant Engineer/Operation/Rural/EPDCL/Tuni
2. Assistant Divisional Engineer/Operation/EPDCL/Tuni
3. Divisional Engineer/Operation/EPDCL/Jaggampeta

..... Respondents

The appeal / representation dated 05-09-2011 (received on 07-09-2011) against the order of APEPDCL in CG No.215/2010/11/EG District dated 12-10-2010 of the appellant has come up for hearing before the Vidyut Ombudsman on 18-10-2011 and 24-10-2011. Sri KVSNE Ganesh S/o Ramu appellant present and Sri G. Samuel Raju, ADE/O/Tuni, Respondent No.2 present on 18-10-2011 and Sri.A.Chandrashekar, DE/O/Jaggampeta, Respondent No.3 present on 24-10-2011, heard and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

AWARD

The appellant filed a complaint before the Consumer Grievance Redressal Forum (Forum), APEPDCL that he is not getting an agricultural service connection released to him though he paid the estimate charges on 06-10-2009 for it and approaching the concerned officers frequently and requested for redressal of his grievance.

2. The matter was registered as CG No. 215/2010-11 and a notice was also served on the respondents.

3. In order dated 12-10-2010 (CG.No.215/2010-11 of Consumer Grievances Redressal Forum of APEPDCL) it was observed that though there is abnormal delay for more than one

year from the date of necessary charges paid by the complainant consumer, the new agricultural service is not released so far and consequently as per Regulation No. 7 of 2004 issued by Hon'ble APERC, under schedule - II, the Licensee is liable to pay compensation to the complainant consumer at R 250/- per each day of default over and above 60 days from the date of payment of necessary charges till the date of release of new agricultural service connection in favour of Sri. Korukonda Venkata Surya Naga Eswara Ganesh (Sri.KVSNE Ganesh), R.K.Palem, Tuni Rural Section. Further, as per the above said order, the compliance report shall also be given to the forum within 90 days from the date of receipt of this order and after releasing of the new agricultural service connection besides payment of compensation.

4. On 05-09-2011, the appellant preferred an appeal which was registered as an Appeal No.55 of 2011, essentially requesting that the compensation may be directed to be paid along with the interest in as much as the same remains unpaid in terms of the orders of Consumer Grievances Redressal Forum of APEPDCL dated 12-10-2010.

5. Notices were issued directing the parties to attend the hearing on 18-10-2011 at 11:00 A.M.

6. On 18-10-2011, heard the appellant Sri.KVSNE Ganesh present and the respondent No.2, Sri. G.Samuel Raju, ADE (Operation), Tuni present. The Respondent No.2 had sought for adjournment and as such the matter was posted to 24-10-2011. The appellant was granted leave of absence for the hearing on 24-10-2011 since he is already heard on the matter on 18-10-2011 itself.

7. Hearing resumed on 24-10-2011. The Respondent No.3, Sri. A.Chandrasekhar, DE(Operation), Jaggampeta had furnished a letter dated 22-10-2011 duly submitting that the delay in release of agricultural service to aforesaid consumer is only due to the inflow of agricultural application are on very high side being the upland area and other minor extension works including PWS works are very high in number and the contractors in the division are not financially capable enough to meet the field demand and thus the delay and not otherwise. It was further stated that however, pooling up and motivating the inhouse contractors in the division, the works are being taken up and clearing the huge pendency, so as to avoid any unrest amongst the paid pending applicants and to solicit smooth functioning of the division.

8. The Respondent No.3, DE (Operation), Jaggampeta has also enclosed a letter dated 22-10-2011 (to his letter even dated) given by the Appellant herein, giving his

consent in writing that he is withdrawing his appeal made to the Vidyut Ombudsman and consequently requested to consider and condone the delay in release of agricultural service to the aforesaid consumer as a special case and oblige.

9. During the hearing on 24-10-2011, the Respondent No.3 also pleaded to the above effect. As already stated above, the appellant had already been permitted leave of absence for the hearing scheduled on 24-10-2011. However, the voluntary withdrawal of the appeal by the appellant was also ascertained by me over phone during the hearing.

10. In the circumstances of the case as stated supra, the appeal is dismissed as withdrawn. As such there is no need to address the submissions made by the respondents herein.

This order is corrected and signed on this day of 29th October 2011

VIDYUT OMBUDSMAN