

BEFORE THE VIDYUT OMBUDSMAN

Present

**K.Sanjeeva Rao Naidu
Vidyut Ombudsman**

Dated: 24 -01-2011

Appeal No. 50 of 2010

Between

Smt P.Anuradha
S/o.Satyam Naidu
Puritipenta New Colony,
Opp: Electrical office, Gajapathinagaram,
Vizianagaram Dist.

... Appellant

And

1. Asst.Engineer/Operation/Gajapathinagaram
2. Asst.Divisional Engineer/Operation/ Gajapathinagaram
3. Divisional Engineer/Operation/Vizianagaram

....Respondents

The appeal / representation filed on 12.11.2010 of the appellant has come up for final hearing before the Vidyut Ombudsman on 10.01.2011 at Visakhapatnam in the presence of Smt.P.Anuradha, appellant present and Sri G.Chiranjeevi Rao, DE/O/Vizianagaram for respondents present and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

The appellant filed a complaint before the Forum that no service connection was released in her name to her house, though the house was released under Indiramma housing scheme, though she paid the amounts required 2 months prior to complaint and failure on the part of the respondents forced to her suffer and

requested the Forum to release the service connection besides payment of compensation.

2. The respondent No.1 filed his written submissions as hereunder:

“With reference to the above it is to submit that the consumer has registered an LT application for release of supply to his newly constructed house on 25/03/10 and according the estimate was prepared as per the way showed by the consumer’s husband in presence of Sri Kondi Rama Rao ALM/Gajapathinagaram who is the relative of the said consumer accordingly the estimate was sanctioned by the ADE/O/Gajapathinagaram and the consumer had paid the amount of Rs.14490/-. In the shape of DD are handed over to his call centre on 20.05.10.

The work order was obtained and the poles were erected as per the estimation as per the way showed by the consumer. However the way showed by the consumer is not the way of the layout it belongs to the some other persons plots after erection of the poles site owners have raised objection and protested to lay the lines and they have given a written complaint. The same was intimated to the consumer and asked to pay the cost of deviation of the line and asked for consent letter but the consumer has deemed to give the consent letter and not came forward to pay the deviation charges.

Further, it is to submit that there is no interim to delay in releasing of the service. The delay is due to the site objection which was already intimated to the consumer.”

Inspite of the best efforts made by the Forum even by conducting an enquiry at several places from time to time, the request was not complied. A *dharna* was also conducted by her at Gajapathinagaram on 24.07.2010.

3. After hearing both sides and after considering material placed before the Forum, the Forum passed the order :

“ The Forum observed that there is a deficiency of service and ordered for compensation. Ultimately, the service connection was released on 23.08.2010 and the Forum observed that there is a deficiency of service and ordered for compensation @Rs.50/- per day for each day default over and above 30 days from payment of necessary charges (delay days 64 x 50 = 3200/-). The Forum has also directed to conduct an enquiry to be initiated against the concerned erring officials besides a total penalty of Rs.100/- for each day of default over and above 30 days from date of payment of necessary charges till the date of release of service is to be imposed on the responsible officers based on the gravity and negligence on the part of the officers and it also directed the respondents to provide service connection under RGGVY scheme and refund the estimated charges already paid subject to detailed enquiry and availability of the provisions of the scheme.”

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same, that inspite of the best efforts made by her and her husband they could not get service connection though they roamed around the offices right from 23.03.2010 and informed to pay Rs.1325/- to call centre and the bill estimates of Rs.15990/- towards 3 poles. An amount of Rs.3200/- ordered by the Forum was also not paid to them and other directions issued by the Forum were also not complied with and that they are apprehending danger in the hands of the respondents as they protested the acts of the respondents by leading dharna before the office of ADE/O/Gajapathinagaram. The respondents may also wait for an opportunity to take cudgels against the appellant and her husband by one way or the other.

5. Now, the point for consideration is, “whether any direction is to be issued by this authority against the respondents? If so, what sort of directions are required to be given?”

6. The appellant and her husband attended before this authority and represented their case about non-compliance and harassment made by the respondents and requested this authority to pass appropriate orders against the respondents for non-compliance of the orders of the Forum and to give protection from the hands of the respondents.

7. Whereas the respondents are represented by Sri G.Chiranjeevi Rao DE/O/Vizianagaram at the time of enquiry and submitted that he is taking steps for payment of the compensation and requested some time for compliance.

8. It is very clear that the Forum has directed the respondents to pay sum of Rs.3200/- towards compensation. It is also clear from the observation made by the Forum as well the paper publication filed by the appellant that she lead a dharna in protest of the inaction of the respondents in giving supply. This is a clear cut and

glaring misconduct on the part of the respondents. This is nothing but deficiency of service and the Forum has rightly observed the same and imposed a penalty @ Rs.50/- per day of default. Even that amount is also not paid in compliance of the directions given by the Forum. This aspect is to be viewed very seriously by this authority. The very conduct of the respondents was also revealed that they would definitely harass the appellant even in future by keeping in their mind about the imposition of the penalty, etc and also on the dharna held by the appellant. If they try for any sort of vengeance or cudgels against the appellant by the respondents, it will be viewed seriously by this authority and appropriate action will be initiated against them by this authority in accordance with the provisions of the Electricity Act, 2003 and Regulations and the appellant is at liberty to move this authority at any time, if any sort of high handedness or any sort of illegal action is done or contemplated by the respondents.

9. It is also clear that the amount of Rs.3200/- is not paid inspite of the direction given by the Forum. The DE/O/Vizianagaram requested 30 days time for payment of the amount as he is moving authorities for payment of the said amount.

10. In the result, the respondents are directed

- (i) to pay the amount within 30 days from the date of receipt of this order.
- (ii) to comply with the other directions given by the Forum about the refund of the amount on the ground that it was given RGGVY scheme.
- (iii) to treat the service connection of the appellant under RGGVY scheme
- (iv) to conduct enquiry about erring officials to initiate disciplinary action as ordered by the Forum.

11. With this observation, the appeal is disposed with a direction to pay to the appellant a sum of Rs.1000/- towards costs in addition to the above said amounts.

This order is corrected and signed on this day of 24th January 2011

VIDYUT OMBUDSMAN