

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

Present

K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated 15 – 12 - 2011

Appeal No. 57 of 2011

Between
Sri I.Venugopal
C/o M.Rama Krishna Rao
25-12-21/3, John Street, N.R.Pet, Eluru, WG Dist

... Appellant

And

1. Asst. Engineer / Operation / EPDCL/ Pedapadu
2. Assistant Divisional Engineer / operation / Rural/EPDCL / Eluru
3. Asst.Accounts Officer/ERO/Town/EPDCL/Eluru
4. Divisional Engineer / operation / EPDCL /Eluru.

....Respondents

The appeal / representation filed on 07.09.2011) against the CGRF order of APEPDCL (in CG No.154/2011-12 dt.09.08.2011). The same has come up for hearing before the Vidyut Ombudsman on 28-11-2011. Sri.I.Venugopal Rao, appellant present and Sri K.Gopalakrishna, ADE/O/R/Eluru, and Sri D.Rajeev, AE/O/Pedapadu on behalf of respondents present, heard and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

AWARD

The petitioner filed a complaint against the Respondents for Redressal of his Grievances and stated as hereunder:

“he has filed a complaint stating that he handed over DD to the Assistant Engineer/Operation/ Pedapadu for change of Category from Cat-VII to Cat-I on 23-12-2007 so far change of category had not been effected and requested the Forum to give current after changing the category from Cat-VII to Cat-I.”

2. The 4th respondent has filed his written submission as hereunder:

“the Assistant Engineer/Operation/ Pedapadu has inspected the consumer premises on dated. 02.08.2011 and found that the house is vacant and also verified at Call Center as there is no application registered for change of category from VII to I against service number 1502/Vatluru of Pedapadu Section from 21.12.07 to till date and service was already bill stopped.

The consumer is also advised vide under Lr.D.No.407, Dt. 03.08.11 to register a new application at Call Center/Eluru for taking further necessary action.”

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

- *“An application is to be registered at Call Centre/Eluru for getting New Service connection in the premises of old service as it is under bill stopped status against SC.No. 1502, Vatluru duly clearing all the arrears and get it's clearance certificate from ERO, the same information has been communicated to complainant by 3rd Respondent vide D.No. 407, Dt. 03.08.2011.*
- *Hence the request of complainant can not be considered.”*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that he has applied to the department to change the category VII to Category – I on 12.12.2007 and they have addressed a letter for the said change and also paid Rs.3,352/- advance and the house cannot be given to any tenant due to lack of service connection and the appeal is to be allowed by setting aside the impugned order.

5. Now, the point for consideration is, “whether the impugned order is liable to be set aside? If so, on what grounds?”

6. The appellant Sri I.Venugopal present and categorically narrated about the grievance but Sri K.Gopal Krishna, ADE/O/Eluru who is present at the time of hearing categorically stated that the house itself is in bad condition and the service connection is bill stopped and they have advised the appellant to file an application before the call centre and the appeal is liable to be dismissed.

7. The appellant has filed a letter addressed to AAE/O/Pedapadu and he also recommended to change the category from Cat-VII to Cat-I. This has been lost sight of by the authorities including the Forum. It is also an admitted fact that there is an

amount of Rs.2,784/- as security deposit. When there are arrears as stated by the respondent, there would not have been any security deposit as it would have been any deposit as it would have been adjusted. The deposit itself is alive and when represented to the AE he has also recommended for change of category. Hence, there is no point in rejecting the same on the ground of bill stop, etc. The impugned order passed by the Forum is set aside.

8. In the result, the appeal is allowed and the respondents are directed to change the category from VII to I. The order of this authority shall be complied within 15 days from the date of receipt of this order.

This order is corrected and signed on this day of 15th December 2011

VIDYUT OMBUDSMAN