

BEFORE THE VIDYUT OMBUDSMAN

Present

**K.Sanjeeva Rao Naidu
Vidyut Ombudsman**

Dated: 09 -12-2011

Appeal No. 48 of 2011

Between

Sri N.Sreedhar

S/o.N.Narayana

Vattugundla (V), Damargidda (M),
Mahaboobnagar Dist.

... Appellant

And

1. Assistant Engineer / operation / Damarigidda/CPDCL/Mahaboobnagar Dist
2. Assistant Divisional Engineer / operation / Kodangal/CPDCL/ Mahaboobnagar Dist
3. Divisional Engineer / operation / CPDCL / Mahaboobnagar Dist
4. Superintending Engineer Operation Circle / CPDCL / Mahaboobnagar Dist.

....Respondents

The appeal / representation is filed by the appellant dt. 19.08.2011 (received on 19.11.2011 has come up for final hearing before the Vidyut Ombudsman on 15.11.2011 & 21.11.2011 at Hyderabad. Sri. N. Sreedhar, appellant present and Sri K. Venkatanarayana, Addl. Asst. Engineer/Op/ Damarigidda /CPDCL /Mahaboobnagar Dist for the respondents present and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

Sri. N. Sreedhar, representing his father Sri. N. Narayana and two others R/o. Vattugundla Village approached the Forum vide letter dt. 09.02.2011 stating that they had paid necessary charges for release of 3 nos. of agricultural services. He enclosed the following along with his complaint.

1. A copy of the Memo issued by the S.E., Operation, Mahaboobnagar to the D.E., Operation, Mahaboobnagar sanctioning an estimate to release 3 nos. of Agriculture Services to the above said Complainant(s).
2. A copy of letter no. AAE/O/Damargidda/F.No.12/ D.No. 211, dated 25.10.10 addressed by the AAE, Operation, Damargidda to the D.E., Operation, Mahaboobnagar requesting to allot the necessary materials to release the 3 no. of Agricultural Services, as stated under (1) above.

He also stated that the Transformer was released to the Consumers who paid the amounts subsequent to the Complainants. Hence, they requested the Forum for providing the D.T.R. with matching material for the above said 3 nos. of Services at an early date.

2. No reply was received from the Respondents.

3. The Forum examined the complainant while conducting enquiry. The respondents failed to attend before the Forum. The Forum after considering the material and after considering the statement of the complainant passed the impugned order:

1. *"To release supply to these 3 nos. of consumers within 30 days from the date of receipt of this Order, if the supply is not already released as on the date of this Order.*
2. *To pay compensation at Rs. 50/- per service to each Consumer for the delay caused from 01.06.10 to the actual date of release of supply.*
3. *To submit documental proof for (1) and (2) above within 15 days from the date of release of the supply or by 15.04.11 whichever is later, duly obtaining the signatures of the Consumers in token of acknowledgement of the implementation of this Order by the Respondents.*

The Complaint is disposed off accordingly."

4. Aggrieved by the said order the appellant preferred this appeal questioning the same that the respondents have failed to give three service connections as directed by the Forum and also failed to pay compensation @ Rs.50/- for each service for the delay caused from 01.06.2010 to the actual date of supply and that necessary directions have to be issued by this authority.

5. Now, the point for consideration is, "whether the impugned order is liable to be modified? If so, in what manner?"

6. The appellant appeared before this authority on 21.11.2011 and respondents represented by Sri K.Venkataramana, AAE/Damaragidda heard at the time of hearing. The respondent stated before this authority that the appellant has not dug the bore wells as requested and without digging the said wells, the respondent is not in a position to release the service connection.

7. This authority has directed the appellant to represent before this authority soon after completion of digging of bore wells. The appellant stated that the digging is now started.

8. In the light of the above said circumstances, the question of penalty imposed by the Forum is not sustainable as they have not practically verified the readiness and the submissions made by the respondents.

9. It appears the appellant has contacted this authority on phone about digging and completion of the bore wells and failure is on the part of the respondents in releasing the service connection on 07.12.2011.

10. In the light of the above said representation, it is necessary for this authority to give a suitable direction to the respondents to release the service connections forthwith. The respondents are hereby directed to release the service connection forthwith and if they fail to do so they are liable to pay compensation @ Rs.50/- per day for each service connection from 07.12.2011 till the date of actual release of service connection. The order of the Forum is modified as stated above.

This order is corrected and signed on this day of 9th December, 2011

VIDYUT OMBUDSMAN