

BEFORE THE VIDYUT OMBUDSMAN

Present

K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated: 30 -07-2011

Appeal No. 29 of 2011

Between

Sri V.Rama Murthy
Rattakanna (V), Ichapuram Municipality
Srikakulam Dist.

... Appellant

And

1. Asst.Engineer/operation/Ichapuram
2. Asst.Divisional Engineer/operation/Sompeta
3. Divisional Engineer/operation/Tekkali
4. Asst Accounts Officer/ERO/Palasa

....Respondents

The appeal / representation filed on 18.06.2011 (received on 20.06.2011) of the appellant has come up for final hearing before the Vidyut Ombudsman on 19.07.2011 at Visakhapatnam. Both parties were absent and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

The appellant filed this appeal before the Forum stating that he got two agriculture service connections with SC Nos. 326 and 332 which were disconnected on 28.04.2008 on his request and there were no dues to be paid on that date. But the CC charges are being levied till date illegally and requested the Forum to redress his grievance.

2. The respondent No.4 filed his written submissions as hereunder:

"The Asst. Engineer. Operation, Ichapuram has transmitted a letter vide reference 3^d cited in which he has stated that the service wires in respect of Sc.No.326 and 332 of Rattakanna Village under Cat-V were removed on 28-04-08 and services were not utilized from the date of disconnection. The Asst. Engineer, Operation has requested to revise the CC bills in respect of the above services and to intimate the consumer.

In this connection, it is to submit that the following arrears are outstanding against the Sc. Nos. as mentioned above.

	<u>SC No.326</u>	<u>SC No.332</u>
i) Arrears as on 28.4.08 i.e. date of disconnection	13496.00	24596.00
ii) Payment made by consumer	15957.00	19314.00
iii) Net arrears outstanding	- 2461.00	5282.00
iv) Arrears from 5/08 to 8/08 i.e. 4 months from the date of Disconnection	858.00	4063.00
v) Arrears from 9/08 to 3/11 i.e. the period pertaining after completion of 4 months from the date of disconnection	942.00	30779.00

Further the fictitious demand for the period from 9/08 to 3/11 i.e. the period relates after completion of 4 months from the date of disconnection is to be withdrawn as mentioned against Column (v)."

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

"As per the procedure in vogue, the fictitious demand against both agricultural service Nos.326 and 332 of V. Ramana Murthy, Rattakanna Village, Ichapuram Mandalam, is to be withdrawn after 4 months period from date of disconnection or service wire removed as certified by the 1st respondent as stated above.

The 4th respondent is herewith directed that the fictitious demand shall be withdrawn as per the recommendation of 1st respondent duly following the procedure in vogue."

4. Now, the point for consideration is, "whether the petitioner is entitled for waiver of CC charges as prayed for ?"

5. Aggrieved by the said order, the appellant preferred this appeal questioning the same that he has paid Rs.12914/- on SC No.326 and Rs.25,357/- on SC No.332 through DDs . Though the entire amount is cleared on both the SC numbers but they have raised CC bills for SC Nos. 326 and 332 as Rs.858/- and Rs.4062/- respectively and that he is not aware how the arrears from 5/08 to 8/08 is being claimed; and that he has also paid Rs.3000/- in the form of DD No.289263 dt.22.11.2006 against SC No.332 and the same is not taken into account while assessing the arrears on the said service connection and requested this authority to waive the CC charges.

6. The appellant failed to attend before this authority though the matter was posted for hearing on 18.07.2011 at Visakhapatnam. The respondents were also absent on that date though an intimation was given on telephone to attend before this authority on 19.07.2011 but both the parties failed to attend before this authority on that date.

7. Now, the point for consideration is, “whether the appellant is entitled for waiver of CC charges as prayed for?”

8. It is clear from the GTCS that the respondents are entitled to collect 4 months charges from the date of disconnection and beyond that period they are not entitled to collect the same and the same has been mentioned by the respondents in the counter. The Forum has also ordered to waive the CC bills raised subsequent to the said period of 4 months.

9. In the light of the particulars furnished in the grounds of appeal, it is necessary to verify the same since he has furnished DD particulars and if there is any amount liable to pay during the said period of 4 months, the respondents are at liberty to collect the same. If there is any amount beyond four months period covered in the CC charges levied against the service connections they may be dropped.

10. The respondents are directed to verify the payments made by the appellant by looking into the payments made by him through DDs and collect any amount due on the service connections within the said 4 months period. The amount raised by the respondents beyond 4 months is hereby waived.

11. With this observation, the appeal is disposed accordingly. No order as to costs. The compliance of the order should be communicated to this authority within 30 days from the date of receipt of this order.

This order is corrected and signed on this day of 30th July, 2011

VIDYUT OMBUDSMAN