

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 17 -12- 2011

Appeal No. 74 of 2011

Between
Sri D.Nageswara Rao
30-3-457, Near HDFC Bank,
Jeypore Road, Salur – 535591
Vizianagaram Dist.

... Appellant

And

1. Asst. Engineer / Operation / EPDCL/ Salur
2. Assistant Divisional Engineer / operation / EPDCL / Salur
3. Divisional Engineer / operation / EPDCL /Bobbili

....Respondents

The appeal / representation filed on 17.10.2011 against the CGRF order of APEPDCL (in CG No.137/2011-12 dt.13.09.2011). The same has come up for hearing before the Vidyut Ombudsman on 01-12-2011. Sri.D.Nageswara Rao, appellant present and Sri L.Satyanarayana, ADE/O/Salur, and Sri SSSHKK Chakrapani, AE/O/Salur 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 electrical appliances have been damaged due to short circuit and this short circuit was taken place due to negligence of electrical department. Hence, requested the Forum to conduct enquiry for compensation regarding damage of electrical appliances.”

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

“ on 16-03-2011 at about 16.00 Hrs Sri D.Nageswara Rao resident of Jeypore Road, KVR real estates Salur contacted over phone and said that there is occurred a fire accident in this house due to internal wiring fault on the same day i.e. 16-03-2011 immediately Assistant Engineer/Operation/ Salur rushed to the spot and observed that his furniture, windows got damaged due to fire, and observed that internal wiring fault occurs in his house.

Sri D. Nageswara Rao bearing 3 PH service connection No.11940 said that the fire accident was happended due to electric short circuit from electrical pole upto the premises through service wire. But at that time Assistant Engineer/Operation/ Salur inspected the service wire and found that no damage or short circuit was occurred to service wire. The service wire is fine and the same wire was used for reconnecting the service after replacement of burnt meter.

AE/O/Salur have inspected the service and the following observations were made

- 1) The service wire is found OK and there is no damage and the same wire is used after replacement of burnt meter.*
- 2) The 3 PH meter was burnt out*
- 3) The MCB on the switch board is working and it is in on position even after fire accident.*
- 4) The damage was occurred to his so far set and window.*
- 5) The remaining service connection holders whicher are connected the same pole are having proper supply and no damages was occurred to the all other services. This is only internal wiring fault in the consumer premises for which department will not hold any responsibilities in this connection.*

After the consumer has paid the MB charges, new 3Ph meter was provided and connected to the lineman with same old service wire.

Further no breakdown or fuse off call was recorded in that area in that particular data.

The fire accident may probably occurred due to fire in his house only.

The same copy will be posted to consumer i.e. Sri Datti Nageswara Rao on Dt.08-085-2011

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

“The Forum hereby directed the complainant to use the correct rated ISI marked fuse units (Cut outs) and MCBs to avoid electrical short circuit internally and it is the responsibility of the consumer to ensure all the joints are in tighten conditions. He should make proper earthing internally.

The compensation cannot be arranged to be paid to the complainant as the MCB was in working condition even after electrical short circuit took place externally and when such untoward incident takes places then the existing MCB would have been tripped automatically and separate the healthy portion from unhealthy portion if he used correct rated ISI mark MCB and electrical fuse units or fuse wires.

Hence, the C.G.No.137/11-12 is herewith disposed off with no cost.

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that he has incurred an amount of Rs.30,000/- due to the negligence on the part of the respondents as the articles in his house were burnt and the wire from pole to the house is also burnt and the meter was also burnt and the photographs clearly disclose about the damages caused to his household appliances and the Forum has failed to appreciate the said aspect and dismissed the complaint and the impugned order is liable to be set aside.

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 is present before this authority at the time of hearing and stated that the wire from the pole was burnt and ultimately the entire furniture was burnt including the meter and sustained loss of Rs.30,000/- towards cost of articles.

7. Whereas, the respondents are represented by L.Satyanarayana, ADE/O/Salur, and Sri SSSHKK Chakrapani, AE/O/Salur and they have categorically stated that the service wire was in good condition and the internal burning was due to defect in using the electrical material other than ISI items in wiring of the said house and due to the said wiring defect the fire accident was occurred and there was no fault on the part of the respondents and the appeal is liable to be dismissed.

8. It is an admitted fact that there was a fire accident in the house. He has produced all the photographs so far as interior burning is concerned. He has not taken photographs on the burning of the wire from the pole to the house. If such photograph is produced no doubt, it can be considered and negligence can be attributed to the respondents. The respondents have stated that if short circuit has taken place externally, the existing MCB would be tripped off automatically. The

appellant has also submitted that burning is being caused due to the fluctuations of the power in the said locality and the same may be rectified.

9. In the light of the above said discussion, the appeal preferred by the appellant is liable to be dismissed, but a direction is given to the respondents to regulate the power supply in the said locality by watching each and every service connection and usage in the respective houses.

10. In the result, the appeal is dismissed but with a direction to the respondents to regulate the power supply in the said locality by watching each and every service connection and usage of appliances in the said houses.

This order is corrected and signed on this day of 17th December 2011

VIDYUT OMBUDSMAN