

**BEFORE THE VIDYUT OMBUDSMAN**

Present

**K.Sanjeeva Rao Naidu  
Vidyut Ombudsman**

Dated: 18 -05-2011

**Appeal No. 17 of 2011**

**Between**

Sri K.Viswanadha Babu  
S/o.Sri Suribabu  
Near Door No. 1-33, Rayudupalem,  
Teachers colony, Kakinada -5,  
EG Dist.

**... Appellant**

**And**

1. Asst.Engineer/Operation/D2/Kakinada
2. Asst Divisional Engineer/Operation/ Town2/Kakinada
3. Asst.Accounts Officer/ERO/Kakinada
4. Divisional Engineer/Operation/ Kakinada

**...Respondents**

The appeal / representation filed dt 05.04.2011 (received on 08.04.2011) of the appellant has come up for final hearing before the Vidyut Ombudsman on 13.05.2011 at Visakhapatnam appellant being absent Sri M.Ramakrishna, DE/O/Kakinada present for respondents present and having ,stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

**AWARD**

The appellant filed this appeal stating that he had applied for change of name as well as change of category from II to I after completion of the construction of the house in the call centre against the service connection No.12259, but the respondents did not consider the same. So, the appellant approached the Forum for redressal of his grievance.

2. The respondent No.3 filed his written submissions as hereunder:

*“The SC.No. 4518-1229 in D4 Section Kakinada has represented that name transfer was not effected from Ch. Subba Rao To K. Viswanadha Babu. After verification of this office records the name transfer proposal was received and effected on 14.02.2011.*

*And from 03/2011 billing onwards new name will come.*

*Further he could not change category from 2 to 1 due to name transfer was not effected. The changed proposal from category 2 to 1 was received from AAE/D4/Kakinada and it will effect from 03/2011 M2 group billing onwards.”*

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

*“Name change and Category change have been effected in Consumer Master as well as Billing Data Utsupra. And disposed the appeal accordingly.”*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that even after 85 days elapsed after receiving the complaint for name transfer the cash receipt dt.26.03.2011 was issued by the counter provided in D4 section, in the name of old consumer as the process of transfer is not yet completed. There is dereliction of duties and gross negligence on the part of the respondents which caused much difficulty and mental agony and requested this authority to take action against the person who is responsible for causing the delay of 44 days in attending the application.

5. Now, the point for consideration is, “whether the relief sought by the appellant to take action against the persons responsible can be entertained by this authority? If so, on what grounds?”

6. The appellant has failed to attend before this authority. Whereas, Sri M.Ramakrishna, DE/O/Kakinada present before this authority and represented that the order issued by the Forum is complied long back and there is no delay in attending the same.

7. So far the grievances of the appellant is concerned; it is clear from the record that he has applied for title transfer and also change of category on 31.12.2010. As per Regulation No. 7 of 2004, Schedule – 2, the change of name of owner is concerned, the respondents are given time of 7 days. So far change of category is concerned; the time limit is given for 30 days. If they have exceeded those 37 days they are liable to pay penalty at the rate of Rs.50/- per day. So far as delay of 44 days is concerned, no material is placed before this authority. Apart from this a letter dt.06.01.2011 of ADE/O/Town-II/Kakinada requesting the appellant to pay the current consumption charges and other liabilities accrued or that may become due as per conditions and rate of supply of APEPDCL. No such reply is forthwith coming.

8. In the letter dt.06.01.2011, it is clearly mentioned about change of name and the delay for category change. It is also clearly mentioned in the order itself that the name change would appear in the monthly bill of March 2011. If it is not complied as stated, he would have represented before this authority. The appellant has not made any representation to project the same that there is no compliance on the part of the respondents as ordered by the Forum. So, there is no need to take any action on the part of the respondents.

9. In the result, the appeal is dismissed.

This order is corrected and signed on this day of 18<sup>th</sup> May 2011

**VIDYUT OMBUDSMAN**