

BEFORE THE VIDYUT OMBUDSMAN

Present

K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated: 19 -02-2013

Appeal No. 14 of 2013

Between
Kosaraju Sridevi
W/o Prasada Rao,
12th line, Santhi nagar, ELURU, WG Dist.

... Appellant

And

1. Asst Engineer/Operation/APEPDCL/Denduluru
2. Asst Divisional Engineer/Operation/ Rural/APEPDCL/ Eluru
3. Divisional Engineer/Operation/ APEPDCL/ Eluru

...Respondents

The appeal / representation dated 11.01.2013 (received on 15.01.2013) of the appellant has come up for final hearing before the Vidyut Ombudsman on 28.01.2013 at Viakhapatnam. Sri J.Ramesh, representative of the appellant present and Sri Ch.Satyanarayana Reddy, DE/O/Eluru, and Sri K.Gopala Krishna, ADE/O/Rural/Eluru for respondents present and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

AWARD

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

"He has filed a complaint stating that there is a common feeder for Agricultural services and other services. Hence, approached the Forum for Redressal of her grievance.

2. The respondent-2 submitted his written submissions as hereunder:

“Bifurcation of non-agricultural services from agricultural feeders work carried out in Denduluru Section under Pilot project work.

The work was completed on 22-08-2012 and all the feeders are charged on 22-08-2012. After that, the pilot project work was stopped. Then 8Nos. left over services were intimated with sketches to the Divisional Engineer/Construction/Eluru through Divisional Electrical Engineer/Operation/ Eluru vide D.No.1463/18.09.2012. This is one of the service out of 8Nos. left over services.

Sketches were returned from Divisional Engineer/Construction/Eluru to Divisional Electrical Engineer/Operation/Eluru stating that agreement was closed and not to possible to execute the works, which requires permission from Corporate Office/Visakhapatnam.”

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

- ***“The bifurcation of non-agricultural services from agricultural feeders work is so essential in this regard against Sc.No.127 and other services.***
 - ***As a special case the bifurcation work should be taken up immediately duly getting proper approvals from competent authority.***
- Accordingly, CG.No.508/12-13 is disposed off.”***

4. Aggrieved by the said order, the appellant preferred this appeal narrating the following grounds:

- (i) the appellant is allowed to suffer heavy losses and avoidable inconvenience for an indefinite period due to attachment of non-agricultural service on agricultural feeder.
- (ii) the order of the Forum does not contain specific and clear direction giving time bound to the respondents. The order of the Forum did not contain even the relief to be extended to the consumer, pending taken up and completion of work of bifurcation, to the normal condition of supply.
- (iii) The appellant is sustaining losses since August 2012 / September 2012 due to attaching the service to the agricultural feeder for no fault of him.

- (iv) It is the statutory responsibility of the respondents to ensure satisfactory supply to the registered consumers in terms of Electricity Supply Act but not to face suffering for the unconstitutional and unjustified acts by means of attaching his service to the non-agricultural feeder.
- (v) It is therefore prayed to direct the respondents to take up bifurcation work of non-agricultural services including SC No.127 from agriculture feeder on war footing basis and complete the work in a reasonable time of about fortnight.
- (vi) It is also prayed that this authority may be pleased to grant reasonable compensation on monthly losses and continued inconvenience faced by the consumer of SC No.127 right from August 2012 till date of normal condition of supply.

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

6. The appellant is represented by Sri J.Ramesh, representative of the appellant and Sri Ch.Satyanarayana Reddy, DE/O/Eluru, and Sri K.Gopala Krishna, ADE/O/Rural/Eluru for respondents present at the time of hearing by this authority. The appellant submitted written submissions reiterating the same grounds.

7. Whereas, the respondents submitted their representation on the date of hearing at Visakhapatnam. In the said representation they have mentioned that “bifurcation of the non-agricultural services from agricultural feeder was carried out in Denduluru section under pilot project work. The work was completed on 22.08.2012 and the last and final order was charged on 22.08.2012 under prior intimation to the O&M staff and concerned by the then AE/Operation/Denduluru.” It is also mentioned that when some of the consumers approached, they verified and found 8 nos services were identified as they were not covered under pilot project. The 8 nos left over services were intimated with sketches to the DE/Construction /

Eluru through DE/Operation/Eluru and this is one of the service out of 8 nos left over services.

8. The DE/Op/Eluru wrote a letter to the SE/Op/Eluru for approval. After receiving necessary approval, the work will be taken up.

9. The impugned order passed by the Forum clearly indicates that bifurcation of non-agricultural services from agricultural feeders work is so essential in this regard against SC No.127 and other services. The SC No.127 is the service connection of the appellant. So it cannot be said that there is no specific direction from the Forum with regard to service connection no.127 of the appellant. However, the work is not completed as it is at the stage of approval of SE/Op/Eluru. It is necessary in the interest of justice to expedite the proposal of bifurcation by issuing a direction to the concerned officials including SE/Op/Eluru to approve the same forthwith.

10. So far as the quantum of compensation claimed by the appellant is concerned, it cannot be granted by this authority as this is not the right Forum to canvass or claim compensation and it is for her to approach the competent civil court for redressal of claiming compensation for the losses sustained by the consumer.

11. In the light of the above said discussion, it is necessary to give a specific direction to the respondents including SE/O/Eluru (approval authority) to change non-agricultural services from agriculture feeder immediately including SC No.127. The work shall be completed within 15 days from the date of receipt of this order. The compliance of the order shall be intimated to this authority.

12. With this observation, the appeal is disposed.

This order is corrected and signed on this day of 19th February 2013

Sd/-

VIDYUT OMBUDSMAN