

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI

On this the day of 21st June 2018

In C.G.No:319/ 2016-17/Nellore Circle

Present

Sri. A. Jagadeesh Chandra Rao

Sri. A. Sreenivasulu Reddy

Sri. D. Subba Rao

Sri. Dr. R. Surendra Kumar

Chairperson

Member (Finance)

Member (Technical)

Independent Member

Between

Sri. M. Yanadaiah,
S/o. M. Ankaiah,
Uppalapadu (V) & (P),
(Via) Somasila Project,
Nellore – Dist
524301.

Complainant

AND

1. Assistant Engineer/O/Ananthasagaram
2. Assistant Divisional Engineer/ O/Udayagiri
3. Divisional Engineer/Operation /Atmakur

Respondents

ORDER

1. Sri. M. Yanadaiah S/o. M. Venkaiah resident of Uppalapadu (V) Ananthasagaram (M) Nellore Dt presented a complaint before this Forum through post and the same was registered as C.G.No.319/2016-17. In his complaint, the complainant has informed that he is having domestic Service No. 3411310000014 and paying the bills regularly. Due to heavy gale occurred on night of 04.05.2016 a tree has fallen on the electrical lines thereby the electrical pole was broken. Due to this the service wire and the meter fallen and the meter was broken. The fact was intimated to the Junior Line Man (JLM) of the distribution and Respondent No.1 on 05.05.2016. Immediately after intimation the JLM has arranged alternative supply from neighbouring pole without meter. He further informed that the fact of meter broken was intimated to the JLM and Respondent orally but no new meter was arranged. The Respondent.No.2 during the course of inspection of the village, observed that his service was without meter and hence booked a theft case. Finally the complainant has requested to do justice.

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2. The Respondent.No.1 in his written submission has explained that the Respondent.No.2 has inspected the service of the complainant on 28.09.2016 and noticed that there is no meter in the premises of the complainant and hence a pilferage case was booked on the same date. After booking of the pilferage case the complainant came forward to fix the meter in his premises. Prior to this the complainant has not intimated nor furnished any representation regarding the meter. The Complainant was availing supply directly from the nearby LT overhead lines without meter, though the meter was available in his house. The Complainant has given a representation on 30.09.2016 about the meter with dated: 23.09.2016. After receipt of the complaint when he was asked about the meter , the complainant has informed that meter was not available and it was fallen in the well due to damage of the pole. A new meter was fixed to the Complainant's house on 01.10.2016. The Complainant has paid the total assessment amount of the pilferage case.
3. Personal hearing was held on 16.05.2018 at Nellore and both parties reiterated their contentions mentioned in the pleadings.
4. Point for determination is whether JLM and Respondent No.1 provided power supply to the complainant from nearby overhead lines without service meter?
5. As could be seen from the pleadings of parties it clearly shows that complainant has availed supply by directly tapping from the over head lies and on that ground, averments of the Respondents and complaint of the complainant it is very clear that the complainant has availed supply by directly tapping from the overhead lines and hence the Respondent.No.2 has booked a case under Section. 135 of Electricity Act 2003. In accordance with the provisions contained in Para 10.2 (b) of Regulation. No.3/2016 issued by the Hon'ble Commission, the Forum shall/may reject the compliant at any stage if the cases falls under Sec.126,127, 135 to 139 and 152 of the Act. Since the present complaint was booked under Sec.135 of the Act, the same is liable for rejection
6. The contention of the complainant is that he informed about the damage of the meter and service wire on 05.05.2016 to junior lineman and Respondent No.1. Junior Lineman provided electric supply from a different pole without meter. Complainant has not made an application in writing to Respondent No. 1 or his superior officers about this fact. He has availed power supply without meter till a case was booked against him by Respondent No. 1 on 29.08.2016. After booking of pilferage case only, complainant came forward to fix meter to his residence. So the complainant has availed electricity without any meter till a case was booked against him and came forward with the contention that JLM himself

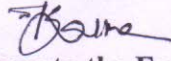
arranged to have electricity supply from nearby LT over head line without having meter. There is no evidence to show that such power supply was arranged by the JLM and Respondent No. 1. In the absence of any evidence and non action on the part of complainant for replacement of damaged meter and as the version of the complainant is not believable the complaint is not maintainable. Accordingly the complaint is dismissed.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, Flat No:401, 4thFloor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063**, within 30 days from the date of receipt of this order.

This order is passed on this, the 21st day of June 2018.

Sd/-	Sd/-	Sd/-	Sd/-
Member(Finance)	Member(Technical)	Independent Member	Chairperson

Forwarded By Orders



Secretary to the Forum

To

The Complainant

The Respondents

Copy to the General Manager/CSC/Corporate Office/ Tirupati for pursuance in this matter.

Copy to the Nodal Officer(Chief General Manager/Operation)/CGRF/APSPDCL/TPT

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4th Floor, Ashoka Chambers, Opposite to MLA Quarters , Adarsh Nagar,Hyderabad-500063.

Copy Submitted to the Secretary, APERC,11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.

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