

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

On this the 17th day of September 2020

C.G.No:90/2019-20/ Ongole Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao

Sri. A. Sreenivasulu Reddy

Sri. V. Venkateswarlu

Sri. Dr. R. Surendra Kumar

Chairperson

Member (Finance)

Member (Technical)

Independent Member

Between

P.Veeranjaneyulu,,
Duvvali,
Tripuranthakam,
Prakasam -Dist

Complainant

AND

1.Executive Engineer/O/Markapuram

2.Superintending Engineer/O/Ongole

3.Chief General Manager/O&M-/APCPDCL/Vijayawada

Respondents

ORDER

1. The case of the complaint is that his wife P.Mallamma while switching on the table fan met with electrocution and at the same time there was a failure of the earth near the DTR and due to over load in the village all the T.V.s and other electrical appliances were burnt. His wife due to the said electrocution died. When this matter was informed to AEE Tripuranthakam, he came and changed the wire and earth. He and the deceased P.Mallamma are having a two years daughter there is no other financial support no compensation was paid by the department, hence requested for compensation.

2. Respondent No.1 filed written submission stating that the ADE/ Operation submitted a detailed report with regard to non-departmental fatal electrical accident occurred to

DESPATCHED

DATE 19/9

P.Mallamma . Representation of the complainant was submitted to Corporate office.

But no ex-gratia was sanctioned in this case.

3. Respondent No.2 filed written submission stating the necessary ex-gratia proposal was submitted by Respondent No.1 to CE/Zone/Vijayawada and who in turn submitted to Corporate Office. Sanction proposals are not yet received.
4. Executive Director/O/Tirupati filed memo stating that the representation of the complainant for compensation was transferred to APCPDCL.
5. Chief Engineer/O&M2/APCPDCL/Vijayawada filed written submission stating the case was studied in detailed and observed that the death was so happened while deceased turning the running pedestal fan from east to west inside house got electrocuted and succumbed to death for which the licensee is not responsible as per the Reg.No. 2/2017 issued by the Hon'ble APERC.
6. The point for determination is whether complainant is entitled for the compensation for the death of his wife P.Mallamma due to electrocution?

The case was heard in personal hearing through Video conferencing on 14.2.2020, 18.6.2020, 29.6.2020 and 12.8.2020.

Respondents after seeking several adjournments and considerable time ultimately represented that the case was transferred to APCPDCL on account of formation of new Distribution Company. After transfer CGM/O&M2/VJA took a plea in his written submission that the Licensee is not responsible for the death of deceased P.Mallamma and she died only due to electrocution on account of turning of pedestal fan from east to west inside her house, as such they are not liable to pay compensation to the deceased family.

The copy of the first information report shows that VRO Ramasamudram presented a complaint stating that P.Mallamma W/o.Veeranjaneyulu died due to

electric shock while she switched on the table fan at her house and tried to turn the fan from east to west with her hands and on hearing the cries her husband came near and found that his wife was already dead. The same facts were mentioned in Inquest report. Complainant also stated the same facts in his complaint. The contention of the complainant is that due to high voltage in the DTR which is not having proper earthing caused damage to electrical appliances in the village and the death of his wife is only due to passing of high voltage through the DTR in the village hence he is entitled for compensation.

On the other hand the contention of Respondent No.1 is that no such incident of passing of high voltage through distribution transformer took place resulting damage of electrical appliances of the villagers as alleged by the complainant took place in the village on that day and no report of damage caused to the electrical appliances on account of passing of high voltage was reported by any consumer.

Complainant did not place any document to prove that there was no proper earthing to the DTR and passing of high voltage resulting in damages to the electrical appliances of the villagers and due to passing of high voltage from the DTR only, his wife succumbed to death due to electrocution. On the other hand the report of the VRO on which the complaint was registered as FIR in crime No.76/2017 dt.13.9.2017 under 174 Cr.P.C shows while the deceased with wet clothes after bathing switched on the pedestal fan and tried to turn from east to west she had electrocution and succumbed to it. The fatal accident had occurred when she was attempting to turn the fan from east to west with her hands. There is no evidence on the record to show that the death of the deceased P.Mallamma was caused on account of service lines of the Licensee. There is no iota of evidence to show that the death was caused due to omission/commissions of the licensee, in the absence of any evidence to prove that due to acts of licensee

