

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 27th day of May' 2022
CG No.14/2022-23/Tirupati Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. Y. Sanjay Kumar
Sri. K. Ramamohan Rao
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Technical)
Member (Finance)
Independent Member

Between

Smt. K.Yellamma,
Marella,
K.V.Palli Mandal,
Chittoor Dt.

Complainant

1. Superintending Engineer/O/Tirupati

Respondent

ORDER

1. The case of the complainant is that, the complainant's husband Mr. K. Subbaramaiah died due to electrical accident occurred on 2.4.2022 @ 10.00 P.M. Hence filed this complaint for payment of compensation by the licensee.
2. Since complainant did not state in her complaint whether she made a representation to licensee, hence a report from SE/O/Tirupati was called for. The case was registered as C.G.No.14/2022-2023/Tirupati circle.
3. The Superintending Engineer/O/Tirupati in his report stated that as per the Preliminary Investigation report and detailed investigation report submitted by the EE/O/Piler and Dy. EE/O/Piler, the electrical accident occurred on 02.04.2022 @ 22.00 Hrs. to Mr.K.Subbaramaiah S/o.Gundalaiah and there is no evidence found regarding electrocution and on inquiry it is found that Mr. B. Ananda Reddy S/o.B.Venkataramana Reddy in Swargamvaripalli,Marella in Khambamvaripalli has unauthorized tapping of 11KV line to their agriculture land to protect the crop from

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wild animals in Marella feeder and the victim who went outside and accidentally got touched to unauthorized 11KV line and got electrocuted (enclosed the detailed Investigation Report).

4. Personal hearing was conducted through Jio meet on 18.5.2022 @ 11.00A.M. but complainant could not be contacted when a phone call was made to the mobile number given in the complaint i.e. 8317694418, Complainant's sister-in-law Smt.Lakshmi Prasannaamma came into contact and she represented that she is representing the Complainant, hence heard. SE/O/TPT was present and reiterated the contents of his report.
5. The point for determination is whether compensation can be awarded by this forum to the complainant in accordance with provisions of Regulation 2 of 2017 for the death of Mr.K.Subbaramaiah due to electrocution occurred @ 10.00P.Mon 2.4.2022 in the fields of Mr. Ananda Reddy, near Swargamvaripalli Village, Marella Panchayat?

As per the detailed investigation report, the accident said to have occurred on account of touching of wire used for unauthorized tapping of 11KV line passing through the agricultural land of Mr.B.Ananda Reddy S/o.B.Venkataramana Reddy, Marella, K.V.Palli Mandal. The report shows that there is no evidence of accident at the scene of offence. Police registered a case under Section. 304-II IPC, 135 (1)(A) of Electricity Act against one Ananda Reddy resident of Swargamvaripalli hamlet of Marella of K.V.Palli Mandal on the report of Kondaiahgari Yellamma W/o K.Subbaramaiah i.e., complainant herein vide FIR No. 42/2022 on 03.04.2022.

Complainant did not state whether police completed investigation and filed charge sheet in this case or not. According to the Respondents since this is a non-departmental fatal accident, they are not liable to pay compensation. The record filed by the complainant does not reveal that licensee failed to meet the standards of performance mentioned in Clause. 4 of Reg.2 of 2017 Central Electricity Authority

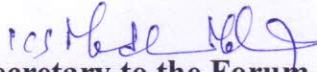
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(measures relating to safety and electric supply) Regulations, 2010 as amended from time to time and other safety measures and accident occurred due to any wrongful acts Omission/negligence or default of the employees of the licensee for the death of K.Subbaramaiah. In the absence of any material as stated above, licensee is not liable to pay any compensation in this case. The point answered accordingly.

6. In the result complaint is dismissed.

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

Forwarded By Order


Secretary to the Forum

This order is passed on this, the day of 27th May'2022

If aggrieved by this order, the Complainant may represent to the Vidyut Ombudsman, Andhra Pradesh, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008, within 30 days from the date of receipt of this order.

To
The Complainant
The Respondents

Copy to the Nodal Officer (Chief General Manager (O&M)/ Operation)/ CGRF/ APSPDCL/ Tirupati.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh , 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008.

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