

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

This the 30th day of June 2012

C.G.No:01/2012-13/ Guntur Circle

Present

Sri K. Paul
Sri A.Venugopal
Sri T.Rajeswara Rao
Sri K. Rajendra Reddy

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri Julakanti Sreenivasa Reddy
C/o Brahma reddy
Nagulavaram Village & Post
Macherla mandal
Guntur-Dist

Complainant

And

1. Assistant Engineer/Operation/Rurals/Macherla
2. Assistant Divisional Engineer/Operation/Macherla
3. Divisional Engineer/Operation/Macherla

Respondents

Sri Julakanti Sreenivasa Reddy, C/o Brahma reddy resident of Nagulavaram Village & Post, Macherla mandal, Guntur-Dist herein called the complainant, in his complaint dt:2-4-2012 filed in the Forum on dt:2-4-2012 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 have stated that

1. He has applied for new agl service connection at Nagulavaram village of Macherla Mandal in Guntur-Dist on 25-4-2011.
2. Even after lapse of one year period the necessary estimate is not prepared so far.

3. Several times he went to the section office and contacted one Sri Koteswara rao in charge AE who inturn reply that the estimates cannot be prepared unless otherwise the bribe amount is given to him.
4. All others who applied at the time of his application were given services, but he is not responded properly by the department.
5. He is not inclined to bribe the officials, he approached the Forum ultimately.
6. Requested to punish the officials besides ordering for compensation towards the crop loss sustained by him.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-1, i.e. the Assistant Engineer/Operation/Rurals/Macherla in his written submission dt:NIL and received in this office on dt:18-6-2012 stated that:

1. The prospective consumers Sri Julakanti Sreenivasa Reddy and two others have registered their applications with CSC, Macherla, Sub division on 27-4-2011 with applications numbers 14312N00017, 14312N00016, 14312N00015.
2. The above said applications along with 27 others were forwarded to section office on 16-5-2011.
3. When he attempted to prepare the estimates it was observed that there are certain omissions such as alternate domestic service particulars, mobile numbers to trace the applicants or land in fields.
4. Being a fresh sub Engineer holding as incharge AE for Macherla Rural, it has taken a long duration to understand the procedure and with similar other reasons and with certain problems in the section as he is holding incharge of the operation section.

5. He could able to formulate the estimate after much pursuance with villagers.
6. He had submitted the estimates to the ADE/OPn/Macherla on 20-12-2011 with DNo: 773/11.
7. The estimate was returned from the DE's office on 13-2-12 with the reasons stating that the signature of the applicants are not available and requested to obtain and resubmit the same (Copy enclosed).
8. It is also well known that the applications registered upto 31-3-2011 are only considered for annual quota of 2011-12. When such is the case the allegation of Sri Julakanti Sreenivasa Reddy that all the applications registered along with him are all got transfers is a false one.
9. Further it is also submit that after obtaining the signature of the applicants on the LT applications the proposal was resubmitted and was sanctioned in the Division office on 31-3-2012 vide sanction number :416/11-12.
10. In response the applicant made the payment Rs 24000/- towards development charges on 27-4-2012 and Rs 4800/- towards security deposit.
11. Now the applicant is in seniority list as per the date of registration of the applications and further course on release of agl service will be taken up after receipt of mandal wise agl quota for the financial year 2011-12.
12. He never shown in negligence or intentionally delayed in delivering the duties.
13. the question of demanding bribe does not arise as the estimate was submitted on 20-12-2011 which the complainant is well aware of.

Findings of the Forum:

1. The grievance of the complainant is that though he applied for new agl service on 27-4-2011 his service was not released on par with others who applied along with him and in whose favour the services were already released.
2. Though the application was made on 27-4-2011, the estimate was formulated and submitted to the higher authorities by the Assistant Engineer on 20-12-2011 i.e. after a delay of about 8 months.
3. The respondent should have returned the application within the reasonable time while scrutinizing the application for not signing of the applicant in the requested application.
4. The respondent mentioned that he could not trace the complainant due to certain omissions where as the complainant mentioned that he approached the AE several times in his office and hence the reasons explained by the AE i.e. the respondent-1 are not convincing being all of them are frivolous.
5. As such the contention of the complainant that the delay is for not fulfilling the bribe demand by the AE appears to be true and the delay is intentional.
6. The complainants estimate was sanctioned by the DE/OPn/Macherla on 31-3-2012 the last day of the financial year based on which the complainant paid the amounts on 27-4-2012 i.e. within 20 days of the sanction.
7. The respondent mentioned that the complainant's application is not covered by the annual quota for the financial year 2011-12.
8. Had the estimates was sanctioned with in the reasonable time that is in the beginning of the financial year, the complainant could have made the

payment in time based on which his application would have been kept in the priority list for the year 2011-12 and the services would have been released well within time.

9. Also the procedure that is followed by the respondents in preparing the priority list is against the Item-4.1 of schedule-1 of Guaranteed Standards of Performance, since the licensee is following the date of payment made by the prospective consumer instead of considering the date of application.
10. Only due to the laxity of the AE, the release of service was held up and spilled over to the next financial year 2012-13 because of which the complainant sustained loss of crops.
11. The loss sustained by the complainant is to be compensated by the respondent-1 @ Rs 50/- for each day of default for the total delay of 431 days duly allowing the permitted period of 30 days.
12. The amount of compensation is Rs 21,550/-

In view of the above, the Forum passed the following order.

ORDER

The respondents are directed to

1. Release the service in the name of the complainant taking into consideration the date of application instead of the date of payment and the date of release shall be the date on which any of his successive applicants got the services released and the service shall be physically released not later by 31-7-2012.
2. The amount of compensation Rs 21,550/- shall be remitted to the complainant's service within 15 days from the date of this order.

3. Report compliance on the items 1 and 2 of the order above within 21 days from the date of this order.

The complainant is advised to report the matter to the Forum in case of non compliance by the respondents to the items 1 and 2 above of the order to proceed further.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this the 30th day of June 2012.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.