

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

This the 9th day of August 2012

C.G.No:116/2012-13/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 A.Rama linga Reddy
C/o Vema Reddy
Nutakki Village & Post
Mangalagiri Mandal
Guntur-Dist

Complainant

And

1. Assistant Accounts Officer/ERO/Mangalagiri
2. Assistant Engineer/Operation/Rurals/Mangalagiri
3. Assistant Divisional Engineer/Operation/Mangalagiri
4. Divisional Engineer/Operation/Town-2/Guntur
5. Superintending Engineer/Operation/Guntur

Respondents

Sri A.Rama linga Reddy, C/o Vema Reddy resident of Nutakki Village & Post, Mangalagiri Mandal, Guntur-Dist herein called the complainant, in his complaint dt:08-6-2012 filed in the Forum on dt:08-6-2012 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 had stated that

1. He is having one bore well in dry land with survey field number:316 at Nutakki village of Mangalagiri mandal in Guntur-Dist.
2. There is a service connection number 2048 for the above borewell obtained in the name of his grand mother Annapureddy Bapamma for a load of 3HP.

3. They are receiving bill for the above service under paid category instead of free based upon the extent of dry land they are having.
4. Also the above service holder Smt. A.Bapamma, W/o Lingareddy expired on 24-2-2008 and the said propriety is transferred to Sri A.Ramalinga Reddy himself being the grand son and was registered in the sub registrar office, Mangalagiri vide No: 152/2002.
5. Requested for change of the category of the service from paid to free and also change the name of the consumer from Smt. A.Bapamma the existing to Sri A.Ramalinga Reddy himself.

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

The respondent-2 i.e. the Assistant Engineer/Operation/Rurals/Mangalagiri in his written submission dt:NIL received in this office on dt:21-6-2012 stated that:

1. The representation was received from SCNo: 2048 to change the agriculture service from non free to free from Smt. Annapureddy. Ramadevi.
2. After receiving the representation the proposal for conversion of agl. service from non free was sent to through proper channel to the circle office vide Lr.No:AAE/O/R/MGL/D.No:497/10 dt:15-9-2010.
3. On verifying the above proposal the following remarks were communicated by the circle office vide Memo No:SE/O/GNT/DE/ADE/AE/Coml/ DNo:803/11 dt:30-4-2011.

Remarks:

- a. In respect of SCNo:2048, Nutakki Village of Mangalagiri (mandal copies of pattadhar pass book is in the name of Smt. A.Bapamma, but the proposal is submitted in the name of Smt. A.Ramadevi where as the

ownership documents, MRO certificate stating that the SCNo: 2048 is existing in the fields of Smt A.Bapamma along with survey nos are not enclosed.

4. After receiving the remarks from the circle office the same was communicated to the applicant, to submit the above documents to this office as early as possible.
5. Mean while the load reduction proposal was sent as per the field verification vide LrNo:AAE/O/R/MGL/DNo:31/12 dt:31-01-2012.
6. Hence the load was reduced from 7.5 HP to 3HP as per the above proposal and also withdrawn the un necessary demand from the CC.bill.
7. The applicant has submitted the pattadhar pass book standing in the name of Sri. Annapureddy Linga reddy (Varun) ,Guardian : A. Ramadevi, death certificate of Smt A.Bapamma and the CC.bill particulars of SCNo:2048 up to 2002.
8. Hence the conversion of agl. service from non free to free proposal was sent vide LrNo: AAE/O/R/MGL vide DNo: 300/12, dt:26-5-2012 to ADE office for the favour of taking further necessary action.

The respondent-1 i.e. the Assistant Accounts Officer/ERO/Mangalagiri in his written submission dt:NIL received in this office on dt:21-6-2012 stated that:

1. The SCNo: 1022311802048 LT category-V, of Nutakki distribution Mangalagiri Rural section has been released on 30-11-1996 in the name of Smt A.Bapamma with a connected load of 7.5HP revised load 3HP as per A/c copy and present revised load is 3HP as per consumer master.
2. The agl. service is billed under Sub category –IV up to 5/2010 i.e. Agl paid category with no meter.

3. Connected load was revised i.e. connected load was reduced from 7.5 HP to 3HP a amount of Rs 28720/-was withdrawn in the month of 01/2012 vide RJNo: 55/1/12.
4. As per recommendations AE/Opn/Rural/mangalagiri/DNo:50/12, Dt:28-01-2012, and counter signed by ADE/OPn/Mangalagiri and DE/Opn/T-2/Guntur and as per consumer representation dt:NIL security deposit available amount is RS 90/- as per records.
5. Copy of the consumer representation and copy of AE letter is herewith enclosed for ready reference.
6. There is no correspondence pending against this service in this office and any representation in respect of category change and title transfer is not received from the Sri.Ramalinga Reddy consumer so far.
7. And any correspondence in respect of category and title transfer is not received till to date in this office Sub-ERO, Mangalagiri.
8. In obedience to the order of the Honourable Chairperson, CGRF,Tirupati, the information and correspondence of this grievance is received from AE/R/Mangalagiri as per reference AAO/ERO/R-2/Guntur/Dno: 311/12, dt: 18-6-2012.
9. As per correspondence which is received from AE/R/Manalagiri, the representation was received by AE/R/Mangalagiri from ScNo:2048 to change the agl. service from paid category to free category from Smt.A.Ramadevi.
10. After receiving the representation the proposal for conversion of this agl. service from paid category to free category, was sent through proper channel to the circle office vide LrNo:AAE/O/R/Mangalagiri/Dno:497/10

dt:15-9-2010 and on verification of the proposal the following remark was communicated by the circle office vide Memo No: SE/O/GNT/DE/AE-Comml/Dno:83/11, dt:30-4-2011.

Remarks

- a. In respect of SCNo: 2048, Nutakki of Mangalagiri Mandal copies of Pattadhar pass book is in the name of Smt.A.Bapamma but the proposal is submitted in the name of Smt.A.Ramadevi where as the ownership documents, MRO-certificate stating that the SCNo: 2048 is existing in the fields of Smt A.Bapamma along with Survey Nos are not enclosed.
11. After receiving the remarks from the circle office the same was communicated to the consumer by the AE to submit the above documents to this office as early as possible.
12. The applicant has submit the pattadhar pass book standing in the name of Sri.Annapu Reddy Linga Reddy (Varun) Guardian : A Ramadevi, death certificate of Smt. A.Bapamma and the CC.bill particulars of SCNo: 2018 upto 2002.
13. After receiving the documents, revised proposals for conversion of the agl. service from paid category to free category was sent to the O/o ADE/O/Sub-Division/Mangalagiri for taking further action Vide LrNo: AAE/O/Rural/Mangalagiri/DNo: 300/12 Dt: 26-5-2012.

Findings of the Forum:

1. The grievance of the complainant is about change of category of the agl service from paid to free category from view of his eligibility.
2. Though the complainant enclosed copy of letter dt:22-7-2010 addressed to the AE/Opn/Mangalagiri wherein it was requested to change the category

of the service agl. paid to free and also change the title into the name of the present beneficiary from the existing as she is no more and transferred the properties to the present beneficiary, the said letter was not acknowledged by the AE or any other person of his office and hence cannot be considered.

3. The date of the complaint is taken as 8-6-2012 being the date on which the said complaint was received at the Forum and is to be resolved within 7 days i.e. by 15-6-2012 in accordance with the Guaranteed Standards of Performance, but here in this case the date of notice received by the respondents is taken for consideration and counting the number of days that are to be allowed for disposal of the case by the respondents.
4. The complainant stated that he is grand son of the registered consumer of the said service who is no more (Expired on 20-4-2008) and the said property was transferred to him through *will* registered on 13th day of May 2002 from which date onwards he is the owner of the property and obtain pattardar pass book in his name on 8-10-2008.
5. The respondent-2 i.e. AE/Rural/Mangalagiri stated that he sent the proposal of changing the category of the service from paid to free on 15-9-2010 and he was asked by the SE/Opn/Guntur for verifying the proposal on 30-4-2011, but the date of receipt of the proposal from the complainant is not mentioned by the respondent-2.
6. In the remarks column it was mentioned that for the SCNo; 2048 Nutakki, the pattardar pass book was in the name of Smt. A.Bapamma where as the proposal was submitted in the name of Smt. A.Ramadevi.
7. Again on receipt of proper documents and proposal the same was sent to

the ADE by him on 26-5-2012 for further necessary action.

8. The respondent-1 i.e. AAO/ERO/Mangalagiri while reiterating the contents projected by the respondent-2 i.e. the AE/Opn/Mangalagiri. reported that he did not receive any correspondence in respect of service number 2048 Nutakki for the said change of category.
9. In accordance with the tariff order and the documents produced by the complainant it is understood that the complainant is eligible for free power provided that he is having less than or equal to three connections in his name besides following the DSM measures for all the services in his possession and also for the title transfer into his name.

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

ORDER

The respondents are directed to

1. Change the title of the service number 2048 into the complainant i.e. Sri A.Ramalinga Reddy with effect from the date of his application for title transfer within 15 days from the date of this order.
2. Change the category of the service number:2048 , Nutakki from paid to free category provided that the consumer is having less than or equal to 3 number services in his name and observing DSM measures for all the services in his possession within 15 days from the date of this order.
3. Report compliance on the items 1 and 2 above of the order within 22 days from the date of this order.

The complainant is advised to report the matter in the Forum in case the respondents fail to comply with the items 1 and 2 of the order above.

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 9th day of August 2012.

Sd/-	Sd/-	Sd/-	Sd/-
Member (Legal)	Member (C.A)	Member (Accounts)	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.