

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

This the 5th day of March 2013

C.G.No:314/2012-13/Guntur Circle

Present

***Sri K. Paul
Sri A.Venugopal
Sri T.Rajeswara Rao
(Vacant)***

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

Between

Smt. C.Shrutha Kirthi
C/o CH. Ananda Sudhakara Babu
DNo: 5-90-46/13, 7/1
Chandramouli Nagar Village & Post,
Guntur-City
Guntur-Dist-522007.

Complainant

And

1. Assistant Accounts Officer/ERO/Tenali
2. Assistant Engineer/Operation/Vemuru
3. Assistant Divisional Engineer/Operation/Rurals-1/Tenali
4. Divisional Engineer/Operation/Tenali
5. Senior Accounts Officer/Operation/Guntur
6. Superintending Engineer/Operaiton/Guntur

Respondents

Smt. C.Shrutha Kirthi, C/o CH. Ananda Sudhakara Babu resident of DNo: 5-90-46/13, 7/1, Chandramouli Nagar Village & Post, Guntur-City, Guntur-Dist-522007. herein called the complainant, in her complaint dt:24-01-2013 filed in the Forum on dt:24-01-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. She is an agl. consumer with SCNo: 906 at Peravalipalem village of Vemuru mandal in Guntur dist and the said service title transferred to her from Smt.V.Dhankottlu by the DE/Opn/Tenali dt: 08-05-2012 and the AE/Opn/Vemuru was instructed to obtain the declaration.

2. Accordingly she furnished the declaration for re-categorisation as paid metered DSM since the service is in conformity with DSM specifications.
3. Accordingly she handed over the same to Ravi Kishore, Line Inspector in the office of AAE/Opn/Vemuru on 17-05-2012 for onward submission to the AAO/ERO/Tenali for recording the entries of title transfer and categorisation in the ERO records.
4. She made an advance payment of Rs.1000/- with the AAO/ERO/Tenali towards future consumption charges for the service on 10-05-2012 and against receipt number 356154.
5. She visited the office of the AE/Opn/Vemuru constantly, but there was no results and finally she came to know that the title and category change were not effected in the ERO records as on 17-01-2013 even after on lapse of nine months, on which date she visited the AAO/ERO.
6. Requested the Forum to order the AAO/ERO/Tenali to effect the title transfer and category change in the records of AAO/ERO at an early date as this action raises the revenue demand of the APSPDCL.

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

The respondents-1 i.e. the Assistant Accounts Officer/ERO/Tenali in his written submission dt:02-02-2013, received in this office on 15-02-2013 stated that:

1. Smt. Ch.Shruthakirthi, Guntur consumer of LT SCNo:906, Peravali palem of Vemuru mandal, Tenali division has preferred a complaint before the Chairperson, CGRF, Tirupati that the orders as were passed by the DEE/O/Tenali to effect title transfer and effect of categorisation of her service as metered, DSM paid service are not yet effected even though the requisited documents were furnished.

2. The SCNo: 906 Peravali palem is an agl. service under free power policy category-V/20 metered under status RNF '08'with closing balance Rs (-) 732.00 to the end of 31-12-2012.
3. Orders were issued by the DEE/Opn/Tenali to effect title transfer in favour of Smt. Chavvakulu Sruthakirthi which stands now in the name of Smt. V.Dhana Kotlu only on ascertaining the receipt of revised agreement and test report.
4. The ERO/Tenali has addressed a letter to the AE/Opn/Vemuru among others to forward the revised agreement and test report if any received from the consumer through ADE concerned vide LrNo: AAO/ERO/TNL/JAO-3/UDC (AGL)/DNo:837/12 dt:22-05-2012.
5. The AE was requested at regular intervals vide LrNo: AAO/ERO/TNL/JAO-3/UDC (AGL)/DNo:1082/12 dt:02-07-2012. and the LrNo: AAO/ERO/TNL/JAO-3/UDC (AGL)/DNo:1871/12 dt:29-10-2012 for forwarding the requisited documents.
6. Now, the AE/Opn/Vemuru was again addressed to forward the proposals immediately in complete shape to ERO/Tenali through the ADE/Opn/R-1/Tenali so as to take further course of action in the matter vide LrNo: AAO/ERO/TNL/JAO-3/BS-agl.?DNo:161/13 dt:02-02-2013.

Findings of the Forum:

1. The grievance of the complainant is that the title transfer and category change ordered by the DE/Opn/Tenali on 08-05-2012 in respect of her agl. service transferred from other consumer were not effected in the ERO records even after submission of declaration and after a lapse of nine months and requested the interference of the Forum in the matter and order for effecting the said changes in the ERO records.

2. The respondent-1 i.e. the AAO/ERo/Tenali reported that the SCNo: 906 of Peravalipalem is an agl. service under free power policy category-V (A) under RNF status with closed balance of Rs.(-) 732/- to the end of 31-12-2012 and the AE/Opn/Vemuru on 22-05-2012 and repeatedly on 02-07-2012 and 29-10-2012 and finally on 02-02-2013 was asked by him to forward the revised agreement and the test report if any received from the consumer through the ADE concerned, but there is no response.
3. It is not understood whether there is any communication to the consumer by way of notice to submit a revised test report and agreement to that effect of change of category as well as the title transfer and more over the consumer also did not make any mention of submitting such documents, but simply reported that she handed over the declaration form to one LI namely Ravi Kishore on 17-05-2012 for which also there is no proof to that effect.
4. As such the respondents if already have not served any notice to the consumer shall serve notice afresh to submit the revised test report and the agreement immediately for effecting the said changes in the ERO records as requested by the consumer herein the complainant.
5. The consumer herein the complainant shall in due course contact with the respondents and submit the revised test report and the agreement immediately and duly paying the necessary charges till to the date of submitting such documents.
6. The complainant mentioned that she approached the AAO on 17-01-2013, but did not mention whether the officer advised her to submit the revised test report and agreement.

7. It appears that the respondents are failed in properly guiding the complainant in the process of changing the category as well as the title and have ignored the fact of revenue improvement as stated by the complainant as a result.
8. The complainant had not followed the standard procedure of registering application in the Consumer Service Centre, Tenali of ADE/ Opn concerned and simply handed over the application to a line inspector on 17-05-2012, who is not competent to receive such and hence the delay took place. The line inspector should have advised the consumer to file the application in the Consumer Service Centre Tenali.

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

ORDER

The respondents are directed that they shall serve a notice to the complainant, if not already done so to submit the revised test report and the agreement in respect of SCNo: 906 Peravalipalem, Vemuru Mandal of Guntur-Dist immediately.

The complainant is advised that she shall submit the revised test report and agreement duly approaching the respondent-4 and paying the necessary CC.Charges till the date of her such approach for the said re-categorisation and the title transfer.

The respondents shall accept the test report and the agreement afresh in the prescribed format and effect the changes in the ERO records accordingly and they are at liberty to collect the CC.Charges till the date of change of the category of the service as per the tariff prescribed for.

The respondents shall give wide publicity to reach of the consumers about the Consumer Service Centre and the service is rendered by it and see that all the items specified in the citizen charter shall be applied in the consumer service centre only and see that such cases will not appear in future

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 the 5th day of March 2013.

Sd/-
Member (Legal)

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.