

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

On this, the 21st day of September 2013

In C.G.No: 114/ 2013-14/ Vijayawada Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Satish Kumar

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

Between

Sri.Parimi Venkata Krishna Rao
DNo:SF.No.8/5
Tadigadapa Village & Post
Panamaluru Mandal
Krishna-Dist.

Complainants

And

1. Assistant Engineer/Operation/Y.Kuduru
2. Assistant Divisional Engineer/Operation/Kanuru
3. Divisional Engineer/Operation/Gunadala
5. Superintending Engineer/Operation/Vijayawada

Respondents

* * *

Sri.Parimi Venkata Krishna Rao, DNo:SF.No.8/5, Tadigadapa Village & Post, Panamaluru Mandal, Krishna-Dist, herein called the complainants, in their complaint dt: 11-07-2013 filed in the Forum on dt: 11-07-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 have stated that

1. He had applied for a new agl. service connection on 02-06-2012 and paid the necessary development charges Rs.5000/- and security deposit Rs.300/- on 21-06-2013 as per the demand dt:20-06-2013 of the ADE/Opn/Kanuru.

2. Upon the assurance by the respondents that the service will be released immediately they have planted turmeric by spending an amount of about Rs.80,000/- and the service is not released immediately, he will suffer further loss and hence requested for early release of the service.

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

The respondents-1 & 2 i.e. the Assistant Engineer/Operation/Y.Kuduru and the Assistant Divisional Engineer/Operation/Kanuru in their combined written submissions dt: 19-07- 2013, received in this office on 22-07-2013 stated that:

1. Sri Parimi Kowshik, S/o. Lakshmi Prasanna, has applied for 1no 5HP new Agricultural Connection vide Application No. 65214 N 220332013 MAY 31/dated 31.05.13. The estimate was sanctioned vide ADR/AGL No. 03/13-14, Dated 20.06.13. Soon after sanctioning of estimate the necessary estimate amount Rs. 5300/- was paid by the consumer on 21.06.2013. The Capital work has been completed on 04.07.2013, and intimated to consumer orally, to be ready with Service Wire, Motor, Capacitor etc.,
2. While carrying out Capital Work the neighbor farmer Sri Medasani Sambasiva Rao has raised objection for laying of LT line with 3X16+25 Sq.mm Cable over his Banana Garden (vide 2nd ref.). Later both the consumers were compromised by shifting the pole at the border of both consumer fields. The necessary shifting charges were paid by Sri M. Sambasiva Rao as per estimate sanctioned by DEE/O/Gunadala.
3. On 13.07.2013 the Line Inspector, Y.Kuduru has gone to the location to fix the meter. But the consumer is not ready with Motor, Service

Wire, Capacitor etc., Hence the Service could not be released and returned the Meter to this office. Further, a letter was addressed to consumer vide this office Lr. No. AAE/O/ YKDR/ F.Doc/D.No. 127/13, Dt. 16.07.13 to make ready with Motor, Service Wire, Capacitor etc. But the consumer is not ready till to date. Soon after ready the consumer the service will be released.

The respondents-1 & 2 i.e. the Assistant Engineer/Operation/Y.Kuduru and the Assistant Divisional Engineer/Operation/Kanuru in their further combined written submissions dt: 16-08- 2013, received in this office on 27-08-2013 stated that:

1. One Sri Parimi Venkata Krishna Rao said to be the grandfather of the complainant Sri. Kowshik on 23-07-2013 represented their office stating that he is ready with the necessary motor, capacitor, service wire etc. and requested to release the service.
2. They have inspected the premises on 25-07-2013 and found that the consumer was ready with all requirements as per SPDCL norms and service was also released on 26-07-2013 with service number assigned as 6521403007303.

Findings of the Forum

1. The grievance of the complainant is that he had applied for new agl. service connection for a load of 5HP and paid the necessary charges on 21-06-2013 as per the demand received from the respondents. But the service is not released because of which he has sustained crop loss for which he spent about Rs.80,000/- and requested to release the service at the earliest to prevent him from further loss.

2. The respondents 1 and 2 in their reply stated that the said complainant had applied for a new agl. service connection for a load of 5HP on 31-05-2013 and the estimate was sanctioned on 20-06-2013 and the complainant paid the charges on the next day
3. They completed the capital work by 04-07-2013 i.e. within 15 days of payment received from the complainant and intimated the consumer orally to be ready with service wire, motor and capacitor.
4. While carrying out the capital work for release of the said service the neighboring farmer namely M.Sambasiva Rao raised objections for laying of LT line with AB cable over his banana garden and finally on compromise between the two the pole was shifted to the border of their fields duly collecting the necessary charges towards the said shifting from the objector.
5. The complainant approached the Forum on 11-07-2013 and the line inspector gone to the location 13-07-2013 to fix the meter, but he noticed that the consumer is not ready with motor, service wire capacitor etc., and hence service could not be released.
6. Though the respondent-1 addressed the consumer on 16-07-2013 to be ready with motor and other materials the consumer not ready.
7. As could be seen from the documents available the application was made on 02-06-2012 by payment of Rs.25/- and the estimate was sanctioned on 20-06-2013 i.e. within 18 days from the date of application and the intimation to the prospective consumer was dt:20-06-2013 i.e. the same day of the sanction and the prospective consumer paid the necessary charges on 21-06-2013 i.e. the immediate

next day and the capital portion of the work was completed by 04-07-2013 i.e. within further 15 days.

8. As such the total duration from the date of application to the readiness for release of the service from the department side was 60 days which includes the disturbance due to objections raised by the neighbouring farmers in laying of lines as well as shifting the already erected line and to resolve the dispute between the applicant and the neighbouring farmer and making a way to lay the line amicably.
9. It was also reported by the respondents that the prospective consumer was not ready to take the service as on 13-07-2013 as reported by his line inspector.
10. Further the respondents in their next submission dt: 16-08-2013 received in the Forum on 27-08-2013 stated that, on information dt: 23-07-2013 from the consumer's representative they have inspected the premises on 25-07-2013 i.e. within 2 days and finally released the service on 26-07-2013 i.e. the immediate next day of their inspection duly satisfied with the consumer's equipment as per SPDCL norms and the service number also assigned as 6521403007303.
11. The complainant in his letter dt:23-07-2013 mentioned that he is ready with the motor capacitor and service wire and requested to release the service and had not at all expressed any displeasure over the notice of the respondents asking the complainant to be ready with the motor capacitor and service wire which indicate that the delay is with the complainant only, but not from the respondents side.

12. As such it is felt that there is no deficiency of service on the part of the respondents in this matter and hence no compensation need to be awarded.
13. It is also felt that the complainant hastily approached the Forum without properly meeting the legitimate norms of the licensee for release of new agricultural service and blamed the officials unreasonably which is not appropriate and shall not be repeated in future.

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

ORDER

The complainant is advised that he shall approach the Forum only after fulfilling all the requirements of the licensee as per norms and if felt there is some willful delay in the acts of the officers of the licensee.

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 21st day of September 2013.

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 to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.