

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

On this, the 19th day of December.3 2013

In C.G.No: 123/ 2013-14/ Ongole 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. Kotari Krishna
Marrivemula Village & Post,
Pullalacheruvu
Prakasam-Dist

Complainant

And

1. Assistant Engineer/Operation/Pullalacheruvu
2. Assistant Divisional Engineer/Operation/Yerragondapalem
3. Divisional Engineer/Operation/Markapuram
4. Superintending Engineer/Operation/Ongole

Respondents

Sri. Kotari Krishna, resident of Marrivemula Village & Post, Pullalacheruvu, Prakasam-Dist herein called the complainant, in his complaint dt: 08-08-2013 filed in the Forum on dt: 08-08-2013 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 an agl. consumer at Marrivemula village of Pullacheruvu mandal in Prakasam-Dist.
2. He had applied and paid the necessary amounts in the form of DD on 24-09-2011 and the sanction for the said service was given by collecting Rs.20,000/- as bribe.
3. Even after a lapse of one year and inspite of repeated visits to their officers the transformer was not given to them.

4. They have represented the matter to the CMD also through a letter, but the problem is not solved.
5. Those who have applied later to them were also provided with transformers, but they are not given and demanding a further bribe of Rs.50,000/- the same was recorded in mobile and the same was informed to the DE and SE concerned, but no action has been taken by them and the AE is acting unilaterally.
6. Requested to take actions against the ADE who had caused severe loss to them to arrange for compensation.

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

The respondent-2, i.e. the Assistant Divisional Engineer/Operation/ Yerragondapalem in his written submissions dt: 03-10-2013, received in this office on 23-10-2013 stated that:

1. The consumer of Sri. Kotari Krishna of Marrivemula Village in Pullalacheruvu mandal was represented to the Honourable consumer grievance redressal Forum, not completed the work vide sanction no. A-0033-03-02-31-01-0002.
2. The above consumer are noticed regarding the above work, when he was camp at Pullalacheruvu section on 20-04-2013, immediately he had applied the work order and drawn the materials on 26-04-2013 which are available at districts stores, Ongole and issued the materials to the contractor in presence of consumer and departmental JLM vide T.Note No. 2763, dt:26-04-2013 and instructed to the contractor to complete the work with in a week and completed the work by the contractor within the time.

3. It is too late to take up the above work the in-charge Assistant Engineer/Operation/Pullacheruvu is not available at Pullacheruvu section he is only the person to look over. The Pullalacheruvu section is addition to the daily sub-division duties.

The respondent-2, i.e. the Assistant Divisional Engineer/Operation/ Yerragondapalem again in his further reply dt: 06-12-2013, received in this office on 07-12-2013 stated that:

1. The consumer of Sri Kotari Krishna of Marrivemula village in Pullalacheruvu mandal was represented to the honourable Consumer grievance Redressal Forum, not completed the agl. Line works vide sanction No. A-0033-03-02-31-01-0002.
2. The above work field was inspected by me along with Sub-Engineer/Operation section /Pullacheruvu and found that the HT and LT line works, work was completed and erected 25KVA DTR, the DTR is also in charging condition but the consumers are not utilized the power supply and there is no crop in the field. The land is still in Beedu Bhoomi our departmental work portion is completed and services was released on 14-09-2013 vide agricultural service connection numbers as follows.

S.No.	Name of the consumer	Distribution	category	Load	Date of supply	ASC No.
1.	Sri Kotari Atchaiah S/o Mannaiah	Marrivemula	V	5HP	14-09-2013	528
2.	Sri Gajule Yedukondalu, S/o Mannaiah	Marrivemula	V	5HP	14-09-2013	529
3.	Smt Gajula Menema W/o Mannaiah	Marrivemula	V	5HP	14-09-2013	530
4.	Sri Kotari Kodelu, S/o Mannaiah	Marrivemula	V	5HP	14-09-2013	531

3. The above said matter is the fact. Hence it is requested that please drop the case.

Findings of the Forum:

1. The grievance of the complainant is that he had applied for a new agl. service and paid the necessary amounts on 24-09-2011, but his service was not released while others who had applied later to him were provided with new services already for the reason that he had not fulfilled the requirement of Rs.50,000/- as bribe in addition to the Rs.20,000/- already paid. He had already taken the matter to the notice of the DE and SE concerned duly playing the recorded conversation through the mobile with the ADE concerned. Requested for release of the service early besides taking action against the erring officers.
2. The respondent-2 i.e. the ADE/Opn/Yerragundapalem in his reply while accepting the payments, had stated that the matter was brought to his notice by the complainant on 20-04-2013 during his camp to Pullalacheruvu and he immediately obtained the work order and drawn the materials on 26-04-2013 and the contractor was instructed to complete the work within a week and the contractor did so.
3. The said work is delayed badly for the reason the Assistant Engineer/Operation/Pullalacheruvu post was vacant and he is only person to look after the works in addition to his sub divisional duties and requested to drop the case.
4. The complainant had applied for new agl. service connection on 24-09-2011 and paid the necessary charges in the form of DDs on the same day, but his application was kept aside by the respondents till 20-04-2013 on which date the ADE concerned while on his camp to the section came to notice the grievance and resolved the problem by

drawing the materials on 26-04-2013 i.e. within a week on noticing the problem and in a further one week the service was released i.e. by the end of the month April 2013.

5. Though the complainant mentioned that he had visited the offices of the respondents several times and paid the bribe of Rs.20,000/-, there is no proof to that effect and hence is not considered. Also the contention of the complainant that others who applied later to him for provided with services earlier is also not taken into consideration in view of non availability of valid information in this regard.
6. In general the Agl. services are released as per the priority list at the section level and based on the quota fixed by the government for that particular financial year. As such there is no proof for the matter of release of agl. services and its time schedule in the Guaranteed Standards of Performance unlike other categories.
7. The complaint was made in the Forum on 08-08-2013 and by that time the matter was already noticed by the ADE four months back i.e. on 20-04-2013 and as per the reply given by the ADE the service was already released by the end of 04/2013. If such is the case it is not understood and there is no reason in making a complaint in the Forum by the complainant in 08/2013 i.e. after four months of completion of the work. It is therefore understood that the capital portion of the work was completed, but the service was not released in favour of the consumer.
8. There shall not be any constraint in keeping pending the release of the service while all the related works were completed. It is also ambiguous whether the complainant was informed about the readiness

of the respondents for release of the service and payment of security deposit by the complainant.

9. It was further reported that the ADE along with the Sub-Engineer Pullacheruvu inspected the works in the field and found that the HT and LT lines were completed and also one number 25KVA DTR was erected and charged, but the consumers are not utilizing supply as there is no crop in the fields and land is left un-cultivated and the service was released on 14-09-2013 with service number assigned.
10. It is clearly evident that the respondent-2 i.e. the ADE/Opn/Y.Pelam mislead the Forum by furnishing wrong information that the service was released already by the end of 04/2013 while it was reported at a later date that the same was released on 14-09-2013.
11. The respondent saying that the lands are not under cultivation and there are no crops is nothing but to protect his skin for the lapses taken place in this regard and he shall noticed that without having power supply the farmers cannot initiate cultivation and lose their crops.
12. There is a clear delay in release of the services in the name of the complainants 4 ½ months i.e. from 1st May 2013 to 14th September 2013 for which the respondents shall have to compensate the complainants @ Rs.50/- per day to each consumer
13. The respondents are liable to compensate the complainant for the said delay of 136 days in release of the services and the amount of compensation is Rs.6,800/- to either of the consumers.

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

ORDER

The respondents are directed that they

1. Shall remit the amount of compensation Rs.6800/- in respect of each of the consumers service within 90 days from the date of this order.
2. Shall report compliance to the Forum on the item-1 of the order above within further 7 days.

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 19th day of December 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.