

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 2013

In C.G.No: 125/ 2013-14/Guntur 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. K.Sundara Ramaiah
DNo:9-5-1, Javaharlal Street,
Kanigiri Village, Post & Mandal
Prakasam-Dist

Complainant

And

1. Assistant Engineer/Operation/Tsundururu
2. Assistant Divisional Engineer/Operation/Rurals-2/Tenali
3. Divisional Engineer/Operation/Tenali
4. Superintending Engineer/Operation/Ongole

Respondents

Sri. K.Sundara Ramaiah Resident of DNo:9-5-1, Javaharlal Street, Kanigiri Village, Post & Mandal, Prakasam-Dist. herein called the complainant, in his complaint dt: 27-08-2013 filed in the Forum on dt: 27-08-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 had stated that

1. He had got an application registered under PRNo:22136/2011 on 20-04-2011 for supply to his agl. service at Chundur village, Munnangivaripalem area Guntur-Dist. The necessary estimate was sanctioned by the AE/Opn/Chundur.
2. But the then AE Sri.Prasad tortured him and finally declared that his application is not traced out and advised him to file a new application afresh and collected Rs.500/- from him and stated that the service will be

released within a week, but in the mean time he was transferred and a new AE took charge on 25-03-2013 he paid an amount of Rs.5400/- in the ADEs office.

3. Three numbers poles were sanctioned in this case which were got erected at their own cost, but the related materials and the conductor were not sanctioned. In the past two years two numbers AEs took charge and again transferred.
4. Requested to render justice by providing the service.

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

The respondent-2, i.e. the Assistant Divisional Engineer/Operation/Rurals/Tenali in his written submissions dt: NIL, received in this office on 19-11-2013 stated that:

1. The applicant Sri.K.Sundra Ramaiah, S/o Pothu Raju resident of Munnagivaripalem village, Tsunduru mandal had registered an application seeking Agl. Connection on Dt:05-08-2012.
2. The AE/Opn/Tsunduru submitted an estimates on Dt:08-08-2012 and the same was sanctioned by the ADE/Opn/R-2/Tenali Vide ADE/WE.NO.04/12-13, Dt:13-18-2012. Sri V.Vigan Prasad, AAE was transferred from Tsunduru and no AE was posted on his place.
3. The AAE/Opn/Amarthaluru was ordered to look after the section from 20-07-2012. The incharge AE/Opn/Tsunduru had informed the consumer to pay an amount of Rs.5400/- towards development & Security Deposit. Accordingly the consumer paid all the charges on 25-03-2013 vide PR.NO:1156945.
4. Sri B.Veera Reddy was posted as Additional Assistant Engineer/ Operation/Tsunduru on 25-03-2013, the materials were drawn and

started execution of work, but could not complete the work due to in favourable ground conditions (standing crop). After two months on 18-05-2013 he was transferred. There after Sri. P.Nageswara Rao taken over the charge as AE/Opn/Tsunduru on Dt:27-05-2013.

5. On the Dt:26-08-2013 the consumer approached this office with his representation dt:22-08-2013 for providing electricity to his AGL pumps set for which he paid all the necessary charges. Based on consumer representation a memo was addressed to AE/Opn/Tsunduru vide Memo No:ADE/OSD/R2/TNL/F.No. /DNo:1438/13 dt:26-08-2013 for latest position. I along with AE/Opn/Tsunduru, went to the spot and contacted the applicant over phone and informed him to convince the neighbours to co-operate for running the cable wire. The consumer has stated it is imposible for him to convince them at this stage and given a letter to execute the work soon after paddy harvesting is over.
6. On dt:28-08-2013 a notice vide CGNo:125/2013-14, ongole circle was received in this office from the Honourable Forum.
7. **“We promise to under taken that we complete the work as per the consumers request with out fail”**
8. This is humbly submitted and prayed the honourable Forum to kindly take the above factors into considerable and to drop action if any against any officers as the delay is occurred due to unfavourable conditions and frequent transferring of officers.

Findings of the Forum:

1. The grievance of the complainant is that the agl. service for which he had applied for on 20-04-2011 was sanctioned, but the amount was collected from him on 25-03-2013, but the release of service was pending for want of

conductor and other materials while three number poles supplied the department was erected by him at his own cost and requested for early release of the service.

2. The respondent-2 i.e. the ADE/Opn/R-2/Tenali in his reply stated that the said complainant had registered his application on 05-08-2012 and the necessary estimate was sanctioned on 13-08-2012 by the then AE who was transferred subsequently while the post was left vacant as none was posted to.
3. The incharge AE who took over the charge on 20-07-2012 had informed the consumer to pay an amount of Rs.5400/- towards development charges and security deposit and the same was paid by the consumer on 25-03-2013. On the same day of payment the materials were drawn and the execution of works was started, but could not be completed due to standing crops and the work is held up.
4. As could be seen from the chronology of the events taken place the application was first registered on 20-04-2011 as stated by the consumer, but was not referred by the respondents and the date i.e. on 05-08-2012 on which the complainant registered his second application on the information of the respondents that his application first registered was not traceable was only mentioned by the respondents.
5. While the estimate was sanctioned on 13-08-2012 the complainant was informed about the sanction by the then AE (date not mentioned). The payment was made by the complainant on 25-03-2013 i.e. there is a delay of about 224 days which caused delay in release of the service result in agrievance of the complainant.

6. After the approach of the complainant to the Forum and upon its notice to the respondents the respondents acted upon and tried for execution of the works, but could not as there were standing crops in the fields. The complainant in his second letter dt:17-10-2013.
7. Finally the complainant in his letter dt:NIL addressed to the ADE/Opn/Tenali affirmed the presence of standing crops in the fields prevented completion of the erection works.
8. As an out set there are two items of importance out of which the first one is the frequent change of incumbency of the section officers and lack of coordination between the officers caused the delay. It is not understood why there was abnormal delay of 224 days to intimate the complainant?
9. The respondents without taking action on the application filed on 20-04-2011 had made the complainant to wander around their office for a long period of more than one year (473 days) which also constitutes deficiency of service on the part of the respondents.
10. The respondents are liable to compensate the complainant for the abnormal delay of 697 days duly allowing 30 days as per the Guaranteed Standards of Performance and the amount of compensation payable is @ Rs.50/- for each day of delay and the total amount payable is Rs.33,350/-.

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

ORDER

The respondents are directed that they

1. Shall complete the execution of the required works and release the service within 30 days from the date on which the complainant approaches the respondents and intimate that the working condition in the fields are favourable.

2. Shall remit the amount of compensation Rs.33,350/- to the complainants service/services within 90 days from the date of this order.
3. Shall report compliance on the items 1 and 2 of the order above within further 7 days of fulfillment.
4. The complainant is directed that he shall approach the respondent officers and intimate about the feasibility to take up the works of execution soon after removal of the standing crops as stated by him.

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.