

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

On this the 17th day of May 2013

In C.G.No:15/ 2013-14/ Kadapa Circle

Present

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

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

Between

Sri. D.Ankaalreddy
C/o Chinna Ankireddy
Inagalur Village & Post
Tonduru Mandal,
Kadapa-Dist

Complainant

And

1. Assistant Engineer/Operation/Tonduru
2. Assistant Divisional Engineer/Operation/Rural/Pulivendula
3. Divisional Engineer/Operation/Pulivendula
4. Superintending Engineer/Operation/Kadapa

Respondents

* * *

Sri. D.Ankaalreddy, C/o Chinna Ankireddy resident of Inagalur Village & Post, Tonduru Mandal, Kadapa-Dist herein called the complainant, in his complaint dt:29-04-2013 filed in the Forum on dt:29-04-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He is a farmer at Inagaluru Village of Tonduru mandal in Kadapa-Dist and he had applied for electrical service connection for agl. purpose on 31-03-2008 by paying an amount of Rs.1000/- and also paid an amount of Rs.5,500/- in the form of DD and handed over the same to the Assistant Engineer/Operation/Tonduru.

2. At the same time another by name A.Chinna Ankaal Reddy of the same village had also applied and paid for agl service.
3. He later was provided with electrical service connection, but he was not given the service connection even as on the date of his complaint i.e. 24-04-2013.
4. Requested for justice.

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

The respondent-2 Assistant Divisional Engineer/Operation/Rural/Pulivendula in his written submission dt:09-05-2013, received in this office on 14-05-2013 stated that:

1. Sri D.Ankal Reddy, S/o China Anki Reddy, Inagalur, Thondur Mandal registered an application for release of power supply to 5HP agri. Motor vide PRNo: 069066 on 06-10-2004.
2. The applicant paid an amount of Rs. 5000/- towards development charges vide DD.No:691084/262, dt:28-02-2005 closed vide PCB No.21751, Dt:29-03-2005.
3. The applicant paid an amount of Rs.200/- towards service connection charges vide DD.No.691085/263, dt:28-02-20058 closed vide PCB No:21751, Dt:29-03-2005.
4. The work was completed and service was not released due to the applicant not paid SD charges and not concluded the LT.Agreement.
5. The applicant paid an amount of Rs.1000/- vide PRNo:986516 dt:31-03-2008 towards security deposit.
6. Due to non conclusion of LT agreement by the applicant the service was not release till to date.

7. In response to the complaint received, the applicant was contacted over phone to the cell phone no. furnished in applicant representation. The applicant responded and concluded the LT agreement at this office on Dt:09-05-2013.
8. A. Chinna Ankal Reddy, S/o Gangi Reddy, Inagalur registered an application for release of power supply to 5HP agri. Motor vide PRNo:010264 on dt:29-02-2005 and paid deposits an amount Rs .5000/-, 200/- vide DDNo:691094/272, 691095/273 on dt:28-02-2005 towards development charges and SD charges respectively.
9. After completion of work the consumer paid an amount of Rs.1000/- vide PRNo:011923 dt:06-03-2005.
10. The consumer concluded LT agreement and the service was released as ASCNo:310 on dt:31-03-2005.
11. However the applicant Sri D.Ankal Reddy, Inagalur (village) has concluded LT agreement now, the service will be released immediately as the applicant has fulfilled all necessary departmental formalities.

Findings of the Forum:

1. The grievance of the complainant is that he had applied for agri. service connection and paid the necessary amounts on 31-03-2008, but the service was not released in his favour even after lapse of 5 years while the other who applied along with him was provided with service.
2. The respondent-2 i.e. the ADE/Opn/Rural/Pulivendala reported that
 - i. the complainant applied for 5 HP agri service on 06-10-2004 and paid an amount of Rs.5000/- towards development charges through DD No:691084/262 and Rs.200/- towards service connection charges through DD No:691085/263.

- ii. The work was completed and the service was not released as the applicant not paid SD charges and concluded LT agreement.
 - iii. The applicant paid Rs.1000/- on 31-03-2008 towards security deposit.
 - iv. Due to non conclusion of LT.Agreement by the applicant the service was not released and finally on contacting through the phone number furnished in his representation the applicant responded and concluded the agreement at his office on 09-05-2013.
 - v. The other consumer A.Chinna Ankal Reddy, S/o Gangi reddy of the same village paid all the necessary amounts on 28-02-2005 while the application was filed on 29-02-2005 upon which the work was completed and service released on 31-03-2005 by collecting Rs.1000/- on 06-03-2005.
3. In case of the complainant the respondent mentioned that the complainant paid the amounts through DDs on 28-02-2005, while the application was filed on 06-10-2004 i.e. there is a gap of more than four months and the respondents reply that the complainant did not come forward with LT agreement due to which the release of service is held up is not acceptable since there is no proof that the consumer was intimated to that effect in time.
4. The notice was issued on 29-04-2013 and the consumer concluded the agreement on 09-05-2013 i.e. within 10 days upon information from the respondents which indicates that the consumer is prompt and awaiting for response from the respondents.

5. As could be seen from the above the respondents failed in communicating the prospective consumer herein the complainant because of which the consumer could not conclude the LT agreement and hence the release of service was abnormally delayed for a period of 8 years, 7 months, 3 days (3137 days).
6. In case of the other consumer A.Chinna Ankal Reddy with whom the complainant compared, it was reported by the respondent that the application was filed on 29-02-2005 where as the amounts of SD and development charges were collected on 28-02-2005 itself i.e. one day in advance which is not at all correct and is only a framed matter in course of offering defense, but failed.
7. As such the Forum is of the opinion that the respondents for one reason or the other have intentionally delayed the release of service in favour of the complainant.
8. In accordance with the Guaranteed Standards Of Performance, the respondents are liable to compensate the complainant @ Rs.50/- for each day of delay in releasing the service and the total amount of compensation for the delay of 3137 days in this case is Rs.1,56,850/-.

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

ORDER

The respondents are directed that

1. They shall remit the amount of compensation of Rs.1,56,850/- to the complainants service/services within 15 days from the date of this order.
2. They shall report compliance on the item-1 of the order above within 90 days from the date of this order.

The complainant is advised to report the matter to the Forum in case the respondents fail to comply with the item-1 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 the 17th day of May 2013.

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.