

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

On this the 13th day of June 2013

In C.G.No:43/ 2013-14/ Tirupati 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. D. S. Swamynadhan
C/o S. Pandaiah
DNo:7/2, Chinna Vepanjery
Vepanjery Post,
Gangadahar Nellore Mandal,
Chittoor-Dist

Petitioner

And

1. Assistant Engineer/Operation/Avalakonda
2. Assistant Divisional Engineer/Operation/R-2/Chittoor
3. Divisional Engineer/Operation/Town/Chittoor

Respondents

Sri. D. S.Swamynadhan, C/o S.Pandaiah resident of DNo:7/2, Chinna Vepanjery Vepanjery Post, Gangadahar Nellore Mandal, Chittoor-Dist herein called the complainant, in his complaint dt:07-05-2013 filed in the Forum on dt:07-05-2013 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 resident of Chinnavepanjeri village of Gangadhar Nellore Mandal in Chittoor-Dist.
2. He is an agl. consumer with Sc.No:2306. He had paid for new agl. service connection about 2 years back, but the service is not released in his favour so far.

3. Requested for early release of agl. service.

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

The respondent-2 Assistant Divisional Engineer/Operation/R-2/Chittoor in his written submission dt:18-05 -2013, received in this office on 07-06-2013 stated that:

1. The AAE/Opn/Avalakonda is verified payment receipts for Rs.6000/- vide PR No:113753, dt:24-10-2006 and it is found correct, the agriculture service No:1439 was assigned to the consumer with date of supply 15-05-2013.
2. Hence it is requested to drop the complaint please.

Findings of the Forum:

1. The grievance of the complainant is that he is having an agl. service with SCNo:5111106002306 and also had applied for new agl. service connection and paid the necessary amounts, but the service is not released even as on the date of complaint and requested to see that the transformer is fixed early.
2. The respondent-2 i.e. the ADE/Opn/R-2/Chittoor in his reply stated that the complainants said payment was verified from the records and noticed that an amount of Rs.6000/- vide PR.No:113753 dt:24-10-2006 and he found correct and the new service was released on 15-05-2013 in favour of the consumer duly assigning SCNo:1439.
3. But as could be seen from the enclosures filed by the complainant, it is understood that the complainant paid the amounts twice on 22-03-2013 and 31-03-2011 for different purposes.
4. On 22-02-2013 the complainant paid an amount of Rs.5,325/- at the customer service centre and the registration number was 51111C000562013MAR22 towards additional load on

SC.No.5111106002306, an agriculture service in the name of the complainant S. Swaminadhan.

5. On 31-03-2011, the same complainant paid an amount of Rs.10,600/- against manual PR.No.221065 and BCRC.No.194855 for a new agriculture service for a load of 10 HP at S.F.No.79/8A.
6. As could be seen from the above the complainants grievance comprises of two items out of which the first is about releasing of additional load to his already existing service number:2306 for which he paid the necessary amounts of Rs.5,325/- on 22-03-2013 and expected that the said additional load will be released by enhancing the capacity of the transformer to suit the load, but the same was not done by the respondents.
7. As such as far as the aforesaid grievance the respondents shall have to release the additional load of 5HP on the service number. 5111106002306 with immediate effect duly providing the necessary network and enhancement of DTR if necessary.
8. The second grievance of the complainant is that he paid for a new agl. service connection an amount of Rs.10,600/- on 31-03-2011 for a load of 10HP at SF No:79/8A of Chinnavepangeri, but it appears that the service is not at all released so far in favour of the consumer though a period of about 26 months is elapsed and contrarily the respondents given a different and irrelevant reply that was already projected in a similar different case registered in the Forum vide CGNo:37/2013-14.
9. As such the respondents shall immediately release a new service in the favour of the complainant at the said land.

10. The respondents are liable to compensate the complainant in both the grievances of releasing of additional load as well as new service and the amount of compensation payable is @ Rs.50/- for each day of delay.
11. Here in the first case i.e. release of additional load the application was registered on 22-03-2013 and the said load was not released even to date and the number of days for which the compensation is to be paid is reckoned from 22-03-2013 till the date of the release of the said additional load duly allowing 30 days as per the Guaranteed standards of Performance.
12. In the second case i.e. release of new service the application was registered and full payments made on 31-03-2011, and the respondents should have atleast released the service not later by 31-03-2012 which was not done so.
13. Hence the period of delay in release of the new service is reckoned from 01-04-2012 to the date of release of the service and the compensation payable is Rs.50/- multiplied by the number of days counted as above.

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

ORDER

The respondents are directed that they

1. Shall release the additional load of 5HP on service number: 5111106002306 not later by 30-06-2013 duly providing the necessary infrastructure.
2. Shall remit the amount of compensation Rs.50/- multiplied by 70 days i.e. 3,500/- to the complainants service/services within 90 days from the date of this order.
3. Shall release the new agl. service for a load of 10 HP at the place of the complainant SF number.79/8A not later by 30-06-2013 duly providing the necessary infrastructure.

4. Shall also remit the amount of compensation Rs.50/- multiplied by 455 days i.e. 22,750/- to the complainants service/services within 90 days from the date of this order.
5. Shall report compliance on the items 3 and 4 of the above order within 100 days of this order and by 10-07-2013 in respect of items 1 and 2 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 13th day of June 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 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.