

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

On this the 28th day of June 2013

In C.G.No:58/ 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

Smt. A. Lakshmi Devi
C/o Venkataramana
Bommakapalli,
Tummarakunta Village & Post
PTM Mandal
Chittoor-Dist-517391

Complainant

And

1. Assistant Accounts Officer/ERO/Madanapalli
2. Assistant Engineer/Operation/PTM
3. Assistant Divisional Engineer/Operation/R-1/Madanapalli
4. Divisional Engineer/Operation/Madanapalli
5. Senior Accounts Officer/Operation/Tirupati
6. Superintending Engineer/Operation/Tirupati

Respondents

Smt. A.Lakshmi Devi, C/o Venkataramana resident of Bommakapalli, Tummarakunta Village & Post, PTM Mandal, Chittoor-Dist-517391 herein called the complainant, in her complaint dt:10-05-2013 filed in the Forum on dt:10-05-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 had stated that

1. She is an agl consumer having an extent of land 2.95 acres DKT under survey number 1302/5 at Tummarakunta village of PTM mandal in Chittoor-Dist.

2. She got a bore-well dug in her fields above about 5 years back for a depth of 120 feet, but she could not utilize the bore as the bore did not allow the entry of motor into it, though plenty of water is available.
3. For the reason above she made an other bore-well about 50 feet away from the existing in her same fields and obtain a service connection with SCNo: 1254 and utilizing power, but the name in the bill appeared wrongly.
4. About one month back the second bore hither to in use was failed and hence she again got the first bore-well repaired and started utilizing power from it.
5. There is a case pending in the high court of Andhra Pradesh against the revenue authorities under WP No:16861/2011 where in the orders favoured her and still the case is pending.
6. There are about four farmers utilizing un-authorized power to their agl. services in and around her fields.
7. The AE/Operation/PTM, without any advance intimation removed her agl. service on 07-05-2013 and taken away the service wire which is against law.
8. Requested to restore her service immediately to safe guard her crops.

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

The respondent-2 i.e. the Assistant Engineer/Operation/PTM in his written submissions dt: 21-05-2013, received in this office on 28-05-2013 stated that:

1. He had inspected the Bommakapalle village on 18-05-2013 and found the following Smt. A.Lakshmidēvi, W/o A.Venkataramana has one agricultural service bearing number:1254 of Thummarakunta distribution for a bore-well at SF.No:1302/5.

2. The water in that bore-well is getting less due to less rains. Due to this another bore-well drilled 60 mts away from the existing bore in the same survey number.
3. The consumer has extended supply to the new bore unauthorisedly by tapping directly from nearby LT lines. The consumer is utilizing supply for both bores.
4. The villagers of her rivals have put up a complaint to DE/Opn/Madanapalli about the utilization of supply to both the bore-wells unauthorisedly.
5. The DE/Opn/Madanapalli orally ordered me, AE/Opn/PTM to enquire in to the matter and disconnect the unauthorized services.
6. Based on the above, myself and along with concerned line inspector and Line man have inspected the location and disconnected the unauthorized service connected to the new bore and seize the service wire. The same is intimated to the DE/Opn/Madanapalli.
7. At the time of my inspection i.e. on 18-05-2013 the consumer Smt. A. Lakshmi Devi is utilizing for standing crops from the existing bore. The standing crops are not getting warned up at the time of inspection as the water is sufficient for existing crops.
8. Regarding the unauthorized agricultural services mentioned in the complaint are also inspected and found that (1) Sri. Sivala Venkataramana Reddy is utilizing supply for two bores besides his original two services, (2) Sri. Y. Subbi Reddy is not utilizing supply as the bore is getting dried up, (3) Sri. T. Narayana Swamy is utilizing supply for one bore unauthorisedly, (4) Sri. Sivala Venkataramana is also utilizing supply unauthorisedly for his bore. The above all unauthorized

services are disconnected by removing the jumpers at cut point in the presence of the villagers of Bommakapalle on 18-05-2013.

9. It is once again submitted that AE/Opn/PTM had disconnected the unauthorized service of Smt. A. Lakshmidevi based on the complaint of villagers. The supply to the existing service is intact. The unauthorized agricultural services mentioned in the complaint are disconnected on 18-05-2013.

The respondent-4 i.e. the Divisional Engineer/Operation/Madanapalli in his written submissions dt: 27-05-2013, received in this office on 30-05-2013 while referring the reply of the Respondent-3, ie., the Assistant Divisional Engineer/ Operation/ Rural-2/ Madanapalli which was also received in the Forum stated that:

1. The ADE/Opn/R-1/Madanapalli has submitted the detailed report on 21-05-2013 duly stating that he has visited Bommakapalli village on 18-05-2013 and found Smt. A. Lakshmi Devi, W/o A.Venkataramana who is having agl. Service bearing No.1254 of Thummarakunta distribution for a bore-well at S.F.No.1302/5.
2. At present water level is very low in the bore well due to lack of rain. Hence, another bore was drilled 60 meters away from the existing bore well in the same survey number.
3. The consumer has extended the supply un-authorisedly by tapping directly from nearby LT lines to the newly drilled bore well. The consumer is utilizing the supply to the both bore wells.
4. In this connection, the villagers have complained on her to the DE/Operation/Madanapalli about un-authorized usage of supply to her both bore-well. The DE/Operation/Madanapalli has instructed to the

AE/Operation/PTM over phone to enquire into the matter and disconnect the un-authorized services immediately duly submitting compliance report.

Findings of the Forum

1. The grievance of the complainant is that the departmental officials unlawfully disconnected her authorized agl. service on 07-05-2013 and taken away the service wires causing loss to her crops and requested for its restoration.
2. The respondents for the above replied that the complainant was utilizing two numbers bore-wells having a distance of about 60 mts in between out of which one is having SCNo:1254 and the other one is unauthorized.
3. The respondents have inspected the fields on a complaint of the villagers about the said unauthorised usage and removed the unauthorized service along with four others of similar on 18-05-2013.
4. Though the complainant mentioned that she is utilizing only one service i.e. 1254 authorised, the respondents also mentioned that they have disconnected only the unauthorized service leaving the authorized one as it is.
5. As such the averments made by the complainant appears to be far from the truth and is made with grouse developed against the respondents for not allowing her to utilize both the services.
6. However the respondents shall have to allow the consumer herein the complainant to utilize any one of the two bore-wells only to not to suffer the crops till such time she continued to pay the CC.Charges.
7. The Forum does not find any thing wrong with the actions of the respondents in disconnecting one service of the complainant and

removing the connected wires as it is unauthorized usage causing loss to the licensee.

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

ORDER

The respondents are directed that they shall allow the usage of supply on SCNo:1254 authorised service for only one of the bore-wells of the complainant at which the service was originally released.

If the complainant for any reason of water depletion in the first bore-well may be allowed to utilize power for the other one with due permission accorded.

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 28th 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.