

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

On this the 31st day of August 2015

In C.G.No:133/ 2015-16/Guntur Circle

Present

Sri P.Venkateswara Prasad
Sri A.Sreenivasula Reddy
Sri T. Rajeswara Rao

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri Kesemneni Sambasiva Rao
C/o Kotaiah
D.No:10-13-19/13c 12th ward
Rajukalva
Repalle – Post Office
Repalle
Guntur-Dist
522265

Complainant

AND

1.Assistant Accounts Officer/ Repalle
2..Assistant Engineer/Repalle Rurals
3.Assistant Divisional Engineer/Repalle
4.Divisional Engineer/Tenali

Respondents

Sri Kesamneni Sambasiva Rao C/o Kotaiah is a resident D.No:10-13-19/13C 12th Rajukalva, Repalle – Post Office , Repalle ,Guntur -Dist, here in called the complainant, In his complaint dt:11.07.2015 filed in the Forum on dt:11.07.2015 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 resident of D.No:10-13-19/13C 12th Rajukalva, Repalle – Post Office , Repalle ,Guntur –Dist.

C.G.No:133/2015-16/Guntur Circle

2. He had prawn culture in his village and he applied for new connection in Repalle rural section at CSC center after that the estimate prepared and he paid an amount of Rs 399130/- on 02.02.2015 against Receipt no.5321958.
3. The Repalle Rural A.E chandhra sekhar and ADE Srinivasa Rao demanded the bribe.
4. He has given an amount of Rs 50000/- to them and A.E taken the amount and demanded the remaining amount.
5. Due to the balance amount which is not given by him the Service connection is not released.
6. Due to the non-release of power supply the prawns are died with a loss of 80,00,000/- (Eighty Lakhs)..
7. So kindly do Justice and take severe action both civil & criminal against on A.E and ADE and compensate the loss sustained by him..

The respondent-1 i.e. the Assistant Accounts Officer / O/APSPDCL/Repalle in his written submission dt:17.06.2015, received in this office on dt:20.06.2015 stated that:

1. The Sri Kesamneni Sambasiva Raowas applied for new connection and the same was registered in Consumers Service Center,Repalle on 14.07.2014 vide NC.No.12456,N12088 and the registration was cancelled on 18.08.2014 due to the consumer was not submitted relevant proper documents .
2. It isto submit that the consumer was Re – registered the application duly procuring all relevant documents at consumers service center,Repalle on 04.12.2014.After re-registeratuion of application the estimate was prepared and demand notice was issued to the consumer for Rs .72,000/- (Rupees Seventy Two thousand only) towards Security Deposit charges and Rs 3,27,130/- (Rupees Three Lakhs Twenty Seven

Thousand One Hundred and thirty only) towards service line charges. The consumer was paid total amount on 02.02.2015 vide online PR .No.5321958 at Electricity Revenue Office counter, Repalle. But the service was not released so, far.

The respondent-2 i.e. the Assistant Divisional Engineer / O/APSPDCL/Repalle in his written submission dt:05.08.2015, received in this office on dt:17.08.2015 stated that:

1. An application is registered for releasing of Industrial service. Accordingly the work is completed and service is released on 20-07-2015. The service no. is ISC. No.162 of Rajukaluva Distribution in Repalle mandal. This is for favour of information and necessary action please.

Findings of the Forum

1. Sri K.Sambasiva Rao of Repalle has lodged a complaint before the Forum on 11.06.2015 during the Vidyuth Adalat conducted at Repalle. In his complaint the complainant has informed that though he has paid the estimated amount of Rs 3,99130/- on 02.02.2015 for release of Aqua service under Industrial category, the AE and ADE of that area have not released the service and they are demanding bribe to release the service by executing the works . He has also stated that owing to non release of service in time he has sustained huge loss of Rs 8000000/-.

Finally the complainant has requested to take severe disciplinary action both civil and criminal against the officers concerned apart from awarding of compensation for the loss sustained by him and arrange to release the service immediately.

2. Responding to the notice issued by the CGRF, the Respondent No 3 has submitted a brief reply vide his letter dated 05.08.2015 received in the Forum on 17.08.2015. In his reply the Respondent No.3 has simply informed that the work has been completed and service released on 20.07.2015 bearing service number 162 Rajukaluva distribution.
3. During the teleconversation with the complainant at about 4.40PM on 20.08.2015 by the Member Accounts , CGRF the complainant has affirmed that the service was released on 20.07.2015.
4. In accordance with IX i a network expansion /enhancement required tot release supply under service area as contemplated in schedule II Guaranteed Standards of performance and compensation to consumers in case of default , vide Amended Regulation No.9/2013 read with principal Regulation 7/2004, the time standard allowed to release of supply. Low tension is 30 days from the date of receipt of prescribed charges. In case of violation of the above standard the compensation of Rs 100/- for each day of default is payable to the consumer.
5. As per the information obtained from the SAP core team on this case, the following observations are made.
 - a. The complainant has registered the application for release of supply for his Industrial service on 14.07.2014 by paying the LT application fees. Since the complainant has not produced the relevant documents , the application was cancelled on 18.008.2014.

- b. The complainant has re – registered the application duly furnishing the requisite documents on 14.12.2014.
 - c. The estimate was created and approved by the DE/Operation on 17.12.2014 vide No.E.2014-02.04.21.02.028.
 - d. The complainant has paid the estimate amount on 02.02.2015 vide PR No 02155321958.
 - e. The work order was released on 16.02.2015.
 - f. 100 KVA Distribution transformer was drawn on 03.03.2015.
 - g. Most of the materials drawn before 17.03.2015 except 8.0 meters poles and 55 SqMM conductor which were drawn on 15.04.2015 and 23.05.2015 respectively.
 - h. 11 KV metal parts were drawn on 15.07.2015.
 - i. The service was finally released on 20.07.2015.
6. Since major material for release of Industrial service i.e 100 KVA DTR and other material such as pins , pin insulators, MS flat, 11KV cable jointing kit,lugs ,Bolts and nuts , earth pipes , MS channel, DP set for LT III A HT Meter , HG fuse sets , cross arms etc were drawn prior to 03.03.2015 , the service should have been released at least on 13.03.2015 being 10 days time allowed to complete works . But in the instant case the Respondents have released the service only on 20.07.2015.

Hence the delay that attracts for levy of compensation works out as follows.

Due date for release of service -13.03.2015.

Actual date of release of service -20.07.2015.

No.of days delayed (excluding 20.07.2015) 128 days.

Compensation payable to complainant per day Rs 100/-.

Total compensation payable for 128 days = $128*100=12800$

(Rupees twelve thousands eight hundred only).

7. It is also further observed from the copy of the sanctioned estimate that security deposit was demanded at the rate of Rs 800/- per H.P instead of Rs 500/- HP.

In accordance with clause 5. Initial Security deposit as contemplated in Regulation No 6/2004 issued by the Hon'ble APERC, Rs 500/- per HP is collectable as Security Deposit for Industrial purposes. Hence an amount of Rs 27000/- has been excess collected as Initial Security deposit from the complainant for 90 HP Industrial service i.e $90*300=27000/-$.

The Respondent No 4 is directed to ensure that the estimates are properly prepared in future.

8. Further it is also noticed from the sanctioned estimate that the development charges at the rate of Rs 1200/- per HP has been calculated instead of Rs 1200/- per K.W or part thereof . As per the Annexure I Schedule of development charges to be collected vide Regulation no 4/2013 clearly stipulated that for Industrial LT services , the development charges to be collected are Rs 1200/- per KW or part of there of of connected load.

In accordance with the above Regulation the development charges to be collected for 90HP is $90 \times .746 = 67.14$ KW or 68 KW is $68 \times 1200 = 81600/-$, But as per the estimate it is calculated as $90 \times 1200 = 1,08,000$, that is excess by Rs 26400/- . However in the instant case , since the cost of the estimate has been collected from the complainant, the wrong calculation has not affected the complainant. The Licensee is requested to look into the matter and cause instructions to the IT wing and CSC wing to ensure that the charges are collected in accordance with the Regulations issued by the Hon'ble APERC only.

ORDER

The Respondents are directed to pay compensation of Rs 12800/- (Rupees twelve thousand and eight hundreds only) to the complainant within 15 from the date of receipt of these orders and compliance reported immediately within 7 days of the payment of compensation . The payment of compensation shall be made by way of adjustment against current/future bills for supply of electricity in connosance with the manner stipulated in Regulation No.9/2013. The Licensee is requested to cause instructions to the concerned officers to ensure that the development charges and security deposits are collected as per the Regulations issued by the Hon'ble APERC only .

Accordingly the case is disposed off.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4th Floor, Ashoka Chambers, Opposite to MLA Quarters ,Adarsh Nagar,Hyderabad-500063**, within 30 days from the date of receipt of this order.

Signed on this, the 31st day of August 2015.

Sd/-
Member(Legal)

Sd/-
Member(Accounts)

Sd/-
Chairperson

True Copy

Chairperson

To
The Complainant
The Respondents
Copy to the General Manager/CSC/Corporate Office/ Tirupati for pursuance in this matter.