

**BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 19th day of March 2019**

In C.G. No: 287/ 2017-18/Kurnool Circle

Present

**Sri. A. Jagadeesh Chandra Rao
Sri. A. Sreenivasulu Reddy
Sri. D. Subba Rao
Sri. Dr. R. Surendra Kumar**

**Chairperson
Member (Finance)
Member (Technical)
Independent Member**

Between

Sri B. Nagendrappa,
D.No:3-137,
Akuthotapeta,
Sirivella - Post
Allagadda
Kurnool -Dist.
AND

Complainant

1. Additional Assistant Engineer/O/Sirivella
2. Assistant Divisional Engineer/O/Allagadda
3. Divisional Engineer/O/Nandyala

Respondents

ORDER

1. The case of the complainant is that on 01.09.2014 he had paid Rs.10,000/- to lineman of Sirivella section towards AGL application fee and after one year he paid Rs. 90,000/- to Sri. Abraham lineman of Sirivella Section. In spite of his repeated requests receipts were not given to him for the amounts received and further informed that he had given money to AE. He had given copies of Demand Drafts for Rs.22,373/- Dt: 23.12.2016. Subsequently when he contacted AE he informed that his distribution transformer serial No. was 94. In spite of his repeated requests service connection was not released, but he received electricity bill for service No.8411523005841. Estimate was prepared, amount was drawn by the contractor but service connection was not released and he sustained loss. Hence the guilty may be punished and award compensation to him apart from releasing the AGL service connection.
2. a) ADE i.e Respondent No. 2 filed written submission stating that application for release of 3 No's AGL service connections were registered by 1. B. Krishnu 2. B. Pullaiah and 3. B. Nagendrappa on 01.09.2014. Estimate was prepared by AE

C.G.No:287/2017-18/Kurnool Circle

DESPATCHED

DATE 26/3

on 1.11.2014 and submitted to ADE on 14.11.2014 with erection of 25 KVA transformer and 210 Mts 11 KV line and the same was forwarded to DE and the same was approved by him on 09.12.2014. Consumer paid estimated charges on 23.12.2016. All the material was drawn by AE but work could not be carried out as the consumer had shown different location instead of sanctioned location vide WBS No. A-0144- 08-02-23-04-0094 .

b) Applications for release of 3 No's AGL services were registered by 1. B. Krishnudu 2. B. Pullaiah and 3. B. Nagendrappa Vide WBS No,A-0144-08-02-23-04-0095. Estimate was created by AE on 1.11.2014 and submitted to ADE on 31.05.2016 with erection of 25 KVA transformer and 210 Mts 11 KV line and the same has been forwarded by ADE on 31.05 2016 to DE and estimate was approved by him on 06.06.2016. Consumer had paid necessary charges on 12.01.2018. All the material was drawn by AE/O/ Sirivella but he stated that work could not be carried out since the complainant had shown different location instead of sanctioned location.

c) After registering of this case before this Forum the work was completed in full shape by erecting distribution transformer as per the orders of secretary/CGRF. The process had taken place prior to his joining as ADE/O/ Allagadda and he personally perused AE/O/Sirivella to complete the above work.

3. a) AAE/O/Sirivella submitted that Sirivella section is having vast jurisdiction having huge AGL belt as well as domestic. Generally he will collect the information in the field for the estimates to be prepared, but in some cases due to work load, meetings and emergency break down works the work of inspecting the field will be assigned to the concerned lineman of the distribution. Based on the sketch prepared by lineman, I. Abraham, he prepared estimates A-0144-08-02-23-04-0094 & 0095 for the supply extension to 6 No's each 5 HP bore connections. The estimates were sanctioned and he had drawn the material as per the seniority. The material was handed over to the contractor and at the time of execution of the work he had inspected the field and found that there were no bores. Then he had enquired the lineman, who was informed that consumer had shown another field and now showing a different field at the time of execution of work then work was stopped and intimated the same to the higher officials. Lineman Sri. I. Abraham expired in the month of September'2017. He did not know the fact of bribe amount

paid by B. Nagendrappa to the lineman. The transformers were drawn as per the seniority list. But they were not utilized in fields and available at the section office and they were not diverted to any other work.

b) The services were released at the Customer Service Center which was under the control of ADE/O/ Allagadda. At that time they used to release the service for the applications for which the DTRs were drawn. Since there were more applications for release he had not checked all the applications and by oversight the services were released for 6 No's applications.

c) After receiving the letter from the Forum he approached the consumer. Consumer accepted the fact that he had shown the fields where the bores were existed and the work was completed for both the WBS No's and DTRS were charged by extending supply.

4..A personal hearing was conducted at Kurnool Circle Office where the complainant alleged that he had given bribe to lineman but the services were not released as claimed by AAE. According to the complainant the service connection was not given to his bore wells on the other hand according to AAE, he had drawn the material as per the sketch and erected the pole and released AGL service connection. But the consumer changed the bore well and demanded to extend the LT line, but it is not possible to extend the LT line without payment of necessary charges and preparation of further estimate for erection of LT line and sanction. On the other hand complainant made repeated phone calls to the Forum alleging that no official from the office visited his fields and making false representations. So DE/ O/ Nandyal is directed to visit the field after giving prior notice to complainant in advance and to visit the fields in the presence of the complainant.

5. DE/O/Nandyal presented a report dt : 05.11.2018 stating that sanctioned work vide WBS No. A-0144-08-02-23-04-0094 was completed. Consumer erected 4 No's LT Poles with cable by his own, but supply was not utilized. After payment of necessary demand charges against WBS No. E-2018-08-02-23-04-002 the LT lines will be laid.

WBS No. A-0144-08-02-23-04-0095 the work was completed but at the time of inspection it was found that consumer utilizing the supply with his own service wire without poles to the pump sets connected to the canal water near to his fields. After payment of necessary demand charges against WBS. No. E-2018-08-02-23-04-003 the LT line will be laid.

6. The contention of the complainant is that he paid Rs. 90,000/- to lineman for supply and release of AGL service connection. But the AGL service connection was not released in time he sustained loss, so compensation may be granted for his crop loss and also punish the department personnel for taking bribe and not releasing the service connection. On the other hand respondent No. 1 stated that he was not aware of payment of money to Late. Abraham the then lineman of Sirivella. Complainant had shown one place at the time of sketch prepared by the lineman but when they went to release the AGL service connection complainant wants service connection in some other area and it is not possible for them to give service connection in the place where the complainant presently showing without revised estimate and sanction.

7. The Divisional Engineer report shows that both the services were released but complainant had erected 4 No's. LT poles with cable of his own for estimate vide WBS No.A-0144-08-02-23-04-0094 and he was utilizing the supply with his own service wire without poles to draw water from the canal vide estimate No A-0144-08-02-23-04-0095 and it is not possible to extend the power supply to both the estimates unless the consumer pays additional estimated amount.

8. There are 2 versions available on the record , one according to the complainant that he paid substantial amount to the lineman but the service connection was not released and the service connection was released only after his complaint to the Forum and that too not in full shape and he still requires poles and wire. The other version is according to AAE, is that had shown one place at the time of preparation of estimate to the then lineman and now insisting to provide service connection to another place it is a complicated question of fact we are of the view that the Forum is not competent to decide those issues. If really Complainant wants to resolve that issue he has to approach appropriate Forum to decide the same.

The written statement of ADE shows that complainant and 2 others submitted 2 applications for release of AGL service connections on one and the same day. The Estimate. No. A-0144-08-02-23-04-0094 was sanctioned by DE on 09.12.2014. Whereas the estimate No. A-0144-08-02-23-04-0095 was sanctioned by DE on 06.6.2016. The consumer paid necessary charges for estimate No. 0094 on 23.12.2016. The consumer said to have paid estimate charges for Estimate No.95 on 12.01.2018. The compliant was presented to this Forum on 18.12.2017 so the estimate No.95 was only prepared after presenting the complaint and both the service connections were said to have been released subsequently. It is not possible for the Forum to decide whether the consumer had shown one location at the time of preparing estimates and had shown another location at the time

of releasing the service connection. The field officers ought not to have released both the service connections after they found that consumer had shown a different location and ought to have given notice to the complainant as per the procedure. So also consumers are not expected to give amount to lineman without receipt. No consumer is expected to pay bribe to get his service connection. Complainant ought to have made written complaint to the CMD when the lineman demanded bribe for release of AGL service connections. If really the consumer shows one location at the time of preparation of estimate for release of AGL service connection and shows another location at that time of release of AGL service connection then it is not possible to release such service connections even if there is delay in releasing of service connection in those circumstances the same cannot be taken into consideration for awarding compensation on the ground that the work was not completed as per the prescribed Standard of Performance.

Complicated questions of fact couldn't be decided by this forum . The forum is constituted only for disposal of grievances of the consumers as early as possible.

The Forum is not competent to conduct inquiry in respect of omissions and commissions committed by the employees in discharging their duties. So also this Forum is not competent to award compensation to the complainant for the alleged crop loss on account of non-release of AGL Service Connection.

Para 4.1 (i) of Reg. 7 of 2004 is as follows :

“The Licensee shall release supply to an applicant within 30 days of receipt of a complete application accompanied by prescribed fees, charges and security.

Provided that in case of applications requiring supply under Low Tension Agricultural Category, such obligation on the part of the Licensee shall be limited to the number of connections that can be covered within the target fixed for the year for release of agricultural connections. The Licensee shall maintain a waiting list of such applicants in a serial order based on the receipt of applications and the waiting list number shall be communicated to the concerned applicant in writing within 15 days of receipt of application. If, however, the applicant's case cannot be covered in the programme of release of agricultural connections fixed for the year, it shall be so indicated in the said written communication”.

The above regulation does not state that in case of delay in releasing of AGL service connection the applicant is entitled to claim compensation as provided in Para 4 of the said regulation . The

