

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
OF NORTHERN POWER DISTRIBUTION COMPANY OF A.P.
LIMITED: WARANGAL.**

25th Day of April, 2011.

Present : Sri. T. Sadarlal : Chairperson
Sri. G. Raveendranath : Member (Accounts)
Sri. K. Ramesh : Member (Legal)
Sri. A. Sudharshan Reddy : Co – Opted (Member)

C.G. No. 300/2011 of Warangal Circle

Between

M/s. Bharat Sanchar Nigma Limited,
(A Government of India Enterprise)
O/o. General Manager, Telecom District,
Warangal-Dist.

Complainant

AND

1. Assistant Engineer/Operation/Rural/Mahabubabad.
2. Assistant Engineer/Operation/Parkal.
3. Assistant Engineer/Operation/Jangoan.
4. Assistant Engineer/Distribution/Rural/Warangal.
5. Assistant Divisional Engineer/Operation/Rural/Mahabubabad.
6. Assistant Divisional Engineer/Operation/Parkal.
7. Assistant Divisional Engineer/Operation/Jangoan.
8. Assistant Divisional Engineer/Operation/Rural/Warangal.
9. Divisional Engineer/Operation/Mahabubabad.
10. Divisional Engineer/Construction & Operation/Mulugu.
11. Divisional Engineer/Operation/Jangoan.
12. Divisional Engineer/Construction & Operation/Warangal.
13. Senior Accounts Officer/Operation Circle/Warangal.
14. Superintending Engineer/Operation/Warangal.

Respondents

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M/s. Bharat Sanchar Nigam Limited, (A Government of India Enterprise),
O/o. General Manager Telecom District, Warangal-Dist., hereinafter called as the
complainant in their complaint dated. 06-01-11, received and registered on
06-01-11, under Clause 5(7) of APERC Regulation 1 of 2004 read with Section
42(5) of Electricity Act 2003, stated the following :-

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- i. As per the APERC Regulatory Commission, Regulation No. 7 of 2004, Schedule-II, the new service connection should be provided within 30 days from the date of payment.
- ii. In the event of not providing the connection within the prescribed date, an amount @ Rs. 50/- per day is to be compensated.
- iii. The list showing the details of sited where supply was provided more than the prescribed days was enclosed and sent to all the concerned Divisional Engineer's/Operations and Assistant Divisional Engineer/Operations, APNPDCL vide their office Lr. No. GMTD/WL/OP/ NPDCL/ New Connections/10-11/Dt. 08.12.10. **(ANNEXURE – I)**
- iv. As per the list enclosed an amount of Rs. 3,92,500/- is to be compensated to the BSNL, Warangal, and it is requested to pay the compensation immediately or adjust in the ensuring bills.
- v. Till date nothing has been heard from the respective ends and it is not known the action taken on the subject.
- vi. It is requested to cause necessary instructions to concerned Divisional Engineer/Operations and Assistant Divisional Engineer/Operations for doing needful at the earliest.

2. As a sequel to the above complaint, Assistant Engineer/Operation/ Rural/ Mahabubabad, Assistant Engineer/Operation/Parkal, Assistant Engineer/ Operation/Jangoan, Assistant Engineer/Distribution/Rural/ Warangal, Assistant Divisional Engineer/Operation/Rural/Mahabubabad, Assistant Divisional Engineer / Operation/Parkal, Assistant Divisional Engineer/Operation/Jangoan, Assistant Divisional Engineer/Operation/Rural/Warangal, Divisional Engineer/Operation/ Mahabubabad, Divisional Engineer/Construction & Operation /Mulugu, Divisional Engineer/Operation/Jangoan, Divisional Engineer/Construction & Operation/ Warangal, Senior Accounts Officer/Operation Circle/Warangal and Superintending Engineer/Operation/Warangal, were directed to file their written submissions vide notice dated. 07.01.2011.

I. The Assistant Divisional Engineer/Operation/Jangoan, in his filings received on 12-01-2011, stated the following :-

- i. That the estimate for E/s. to BSNL Cell Site was submitted for sanction and demand note was issued to BSNL authorities from

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Divisional Engineer/Operation/Jangoan, vide D. No. 731/09/Dt. 24.10.09, for an amount of Rs. 1,20,345/-, accordingly they have submitted the demand draft vide D.D. No. 4827/2/Dt. 02.12.09.

- ii. The work order was taken and material was drawn from district stores by the Additional Assistant Engineer/Operation/Quilashapur after that the BSNL authorities (SDO) have requested for awaiting some time due to the land disputes in between BSNL authorities and local people of Quilashpur-Village.
- iii. After the land disputes has cleared they have intimated for take up the work accordingly the work was taken up and completed. The service is released on Date. 25.10.10 with service connection number bearing 2163.
- iv. From the above, it is to submit that there is no intentional delay from the departmental (APNPDCL) side and as per their request and in-coordination with the BSNL authorities the work is completed and charged.

II. The Divisional Engineer/Construction & Operation/Warangal, in his filings received on 28-01-2011, stated the following :-

- i. The reasons for delay in releasing of new service connections to the BSNL cell sites in various sections in Construction & Operation Warangal-Division are here with submitted for favour of information.

NORTHERN POWER DISTRIBUTION COMPANY OF A.P. LIMITED
WARANGAL DIVISION

Sl. No.	Location to BSNL Sites	Name of the Section	Date of DD's received	Date of DDs Closed	Date of release of service	Reasons for delay	Delay
1	Medipally (Hasanparthy)	Chintagattu-Town	16.10.09	16.10.09	31.03.10	The DDs received and closed on Dt. 16.10.09 and work order immediately taken. The work completed in the month of December 2009. The same was intimates to BSNL authorities to provide and arrange service wire. But authorities arranged service wire in the month of March 2010. Immediately service was released bearing S.C. No. 944, Date of release 31.03.10. There is no delay on our side. The delay is only with BSNL authorities.	133 days
2	Enugal	Parvathgiri	09.02.10	10.02.10	25.01.11	The BSNL authorities are not provided service wire in time due to that the service was released with delay.	10 Months 15 days

3	Kothur	Mylaram	21.11.09	15.12.09	25.08.10	The BSNL authorities are not provided service wire in time due to that the service was released with delay.	7 Months 10 days
4	Perikudu	Mylaram	06.03.010	29.03.10	25.08.10	The BSNL authorities are not provided service wire in time due to that the service was released with delay.	Near about 4 Months
5	Teegarajupally	Sangem	25.09.09	25.09.09	26.06.10	After submission of DD material drawn on T-Note and work was completed immediately, the BSNL authorities are not provided service wire due to that the service released with delay.	8 Months
6	Ramavaram	Wardhannapet	21.11.09	27.01.10	31.08.10	After submission of DD material drawn on T-Note and work was completed immediately, but the service wire was not provided by them and several times insisted over phone for the same. Due to this the service was release in the month of August-2010.	6 Months
7	Mondrai	Sangem	25.09.09	25.09.09	26.06.10	After submission of DD material drawn on T-Note and work was completed immediately, the BSNL authorities are not provided service wire due to that the service released with delay.	8 Months
8	Urugonda	Athmakur	21.11.09	22.11.09	1.01.10	The BSNL Cell Tower was beside of LT line and no line involvement, the delay was only due to not providing of service wire and meter box by the BSNL authorities.	19 days
9	Inole	Panthani	30.12.09	31.12.09	20.07.10	After submission of DDs the material was drawn and the work was completed and charged but service was not released due to non providing of service wire and site was also not ready to extend the supply.	Above 5 Months
10	Lebarthy	Wardhannapet	23.03.10	07.04.10	31.08.10	After submission of DD material drawn on T-Note and work was completed immediately, but the service wire was not provided by them and several times insisted over phone for the same. Due to this the service was release in the month of August-2010.	3 Months
11	Annaram Shareef	Parvathgiri	24.04.10	25.04.10		BSNL side not ready.	
12	Palakurthy	Athmakur	20.07.10	21.07.10	20.10.10	Estimate was revised for separate DTR. The Single Phase DTR erection work was completed within time. But the BSNL authorities failed to provide the service wire, meter box and their equipments. Hence delay occurred to release the service.	60 days

III. Objections Raised by the Complainant, Dated. 07.02.2011 :-

- i. The Divisional Engineer/Construction & Operation/Warangal states that delay in releasing the service is non account of not providing of service wire/meter box etc BSNL in 12 cases.
- ii. The reason stated by the said authority is absolutely wrong and not sustainable since they are awaiting power release to commission their Cell Towers after keeping every thing ready.

- iii. If it is so, the said authority should have given intimation in writing under acquaintance as required under NPDCL Rules and Regulations.
- iv. If it is so, the said authority should have given intimation in writing under acquaintance as required under NPDCL Rules and Regulations.
- v. They have always requested to give bills immediately after giving new connections instead of sending bills with accumulated arrears but it is of no avail which is enough proof that NPDCL authorities have given wrong reply.
- vi. Earlier C.G. No. 281/10, the order given is vague and the respondents did not obey it and further joint inspection of sites has been suggested. The report of joint inspection follows in due course.
- vii. They are requested to examine the case thoroughly taking into account all the material facts and figures on record and extend justice to our BSNL at an early date.
- viii. Their BSNL audit is very particular about the compensation for delay in releasing the service by NPDCL as it protracted the commissioning of their services thereby causing revenue loss during the delayed period.
- ix. If they do not get justice through the Forum they can left with no option except to move to Vidyut Ombudsman for natural justice.

I. The Assistant Divisional Engineer/Operation/Cherial, Dt. 16.03.11 :-

- i. The reports received from Additional Assistant Engineer/ Operation/ Town/Cherial, Additional Assistant Engineer/ Operation/Rural/Cherial, Assistant Engineer/Operation/ Bachannapet, Assistant Engineer/ Operation/ Maddur and Assistant Engineer/Operation/Narmetta on delay in releasing of services to M/s. BSNL Cell Sites at various Villages in Cherial Sub-division are herewith submitted for favour of kind consideration please.
- ii. As observed from the reports of Assistant Engineer's/Operation, it is noticed that :-
 - a. The BSNL authorities are not arranged Service Connection Cable for releasing of supply in time. As per General Terms and Conditions of Supply (General Terms and Conditions) Clause 5.4.1.1. consumers has to arrange Service Connection Cable and to be intimated to the local NPDCL Officer. Otherwise the service cannot be released in time.

- b. There are lot of objections from the Farmers and Villagers for laying of lines in the fields. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.2.4. the consumer has to arrange necessary Way-Leave Clearance for execution of line work. But this was not done by BSNL. The local line laying disputes were cleared by NPDCL Staff duly convincing the Farmers. This has taken lot of time for erection of lines and completion of work.
- iii. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.6.1, an soon as the consumer installation is completed in all respects and tested by the consumers license electrical contract, the consumer should submit the contractor's "Wiring Completion Report" to the Designated Officer of the Company i.e., Section Officer. Even after repeated requests the BSNL authorities have not produced the "Wiring Completion report to concerned Section Officer. But however the services are released.
- iv. In view of the circumstances explained above, there is no lapse on the part of NPDCL side for delay in release of service.
- v. Hence, the kind authority is requested to consider the above reasons foe delay in releasing of service which are beyond the limits of NPDCL and the compensation proposed to Sub-Division Cherial, NPDCL may please be dropped.
- vi. However for avoiding this type of dispute with M/s. BSNL, it is better to sanction the future BSNL Cell Site works on turn key basis on par with other cell sites (Ex. M/s. GTL Indus & Bharathi Infratel etc) where there is no single complaint on delay in release of supply and compensation claim.

**II. The Assistant Divisional Engineer/Operation/Palakurthy,
Dt. 14.03.11 :-**

- i. The reports received from Assistant Engineer/Operation/Palakurhty, Zaffargadh and Devuruppula on delay in releasing of services to M/s. BSNL Cell Sites at various Villages in Palakuthy Sub-Division.
- ii. As observed from the reports of Assistant Divisional Engineer's/Operation, it is noticed that :-
 - a. The BSNL authorities are not arranged service connection cable for releasing of supply in time. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.4.1.1 consumers has to arrange service connection cable and to be intimated to the local NPDCL Officer. Otherwise the service cannot be released in time.

- b. There are lot of objections from the farmers and villagers for laying of lines in the fields. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.2.4, the consumer has to arrange necessary way leave clearance for execution of line work. But this was not done by BSNL. The local line laying disputes were cleared by NPDCL Staff duly convincing the farmers. This has taken lot of time for erection of lines and completion of work.
- iii. As per General Terms and Conditions of Supply (G.T.C.S.) clause 5.6.1, as soon as the consumers installation is completed in all respects and tested by the consumers licensed electrical contract, the consumer should submit the contactor's "Writing Completion Report" to the Designated Officer of the Company i.e., Section Officer. Even after repeated requests the BSNL authorities have not produced the wiring completion report to concerned Section Officer. But however the services are released.
- iv. In view of the circumstances explained above, there is no lapse on the part of NPDCL side for delay in release of service.
- v. Hence the kind authority is requested to consider the above reasons for delay in releasing of service which are beyond the limits of NPDCL and the compensation proposed to Sub-Division/Palakarhty, NPDCL may please be dropped.
- vi. However for avoiding this type of dispute with M/s. BSNL, it is better to sanction the future BSNL Cell Site work on turn key basis on par with other cell sites (Ex. M/s. GTL. Indus & Bharathi Infratel etc) where there is no single complaint on delay in release of supply and compensation claim.

III. The Assistant Divisional Engineer/Operation/Jangoan, Dt. 14.03.11 :-

- i. The reports received from Assistant Engineer/Operation/Jangoan (Rural), Lingala Ghanpur & Raghunathpally on delay in releasing of services to M/s. BSNL Cell Sites at various Villages in Jangoan Sub-Division are herewith submitted for favour of kind consideration please.
- ii. As observed from the reports of Assistant Divisional Engineers/ Operation, it is noticed that :-
 - a. The BSNL authorities are not arranged Service Connection Cable for releasing of supply in time. As per General Terms and Conditions of Supply (G.T.C.S) Clause 5.4.1.1. consumers has to arrange service connection cable and to be intimated to the Local NPDCL Officer. Otherwise the service cannot be released in time.

- b. There are lot of objections form the farmers & villagers for laying of lines in the fields. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.2.4., the consumer has to arrange necessary Way-leave clearance for execution of line work. But this was not done by BSNL. The local line laying disputes were cleared by NPDCL Staff duly convincing the farmers. This has taken lot of time for erection of lines and completion of work.
- iii. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.6.1. as soon as the consumers installation is completed in all respects in all respects and tested by the consumers licensed electrical contractor, the consumer should submit the contractor's "Wiring Completion Report" to the Designated Officer of the Company i.e., Section Officer. Even after repeated requests the BSNL authorities have not produced the wiring completion report to concerned Section Officer. But however the services are released.
- iv. In view of the circumstances explained above, there is no lapse on the part of NPDCL side for delay in release of service.
- v. Hence the kind authority is requested to consider the above reasons for delay in releasing of service which are beyond the limits of NPDCL and the compensation proposed to Sub-Division/Jangoan, NPDCL may please be dropped.
- vi. However, for avoiding this type of dispute with M/s. BSNL, it is better to sanction the future BSNL Cell Site works on turn key basis on par with other dell sites (Ex. M/s. GTL, Indus & Bharathi Infratel etc.) where there is no single complaint on delay in release of supply and compensation claim.

**IV. The Assistant Divisional Engineer/Construction & Operation/
Ghanpur, Dt. 14.03.11 :-**

- i. The Mupparam, Mallikudurla, Velair and Tahatikonda BSNL services delay in releasing of services are as follows :-
 - i. There are lot of objections from the villagers and farmers for laying of lines in the fields. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.2.4, the consumer has to arrange necessary way-leave clearance for execution of line work. But this was not done by BSNL. The local line laying disputes were cleared by NPDCL Staff duly convincing the villagers and farmers. And they wants to single phase supply instead of three phase supply to cell sites. Then the revised estimates were prepared and got revised sanctioned as per the party application. This has taken lot of time for erection of lines and completion of work.

- ii. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.6.1 as soon as the consumers installation is completed in all respects and tested by the consumers licensed electrical contractor, the consumer should submit the contractor's "Wiring Completion Report" to the Designated Officer of the Company i.e., Section Officer. Even after repeated request the BSNL authorities have not produced the Wiring Completion Report" to concerned Section Officer. But however the services are released.
- ii. In view of the circumstances explained above, there is no lapse on the part of NPDCL side for delay in release of service.
- iii. Hence, the kind authority is requested to consider the above reason for delay in releasing of service which are beyond the limits of NPDCL and the compensation proposed to Ghanpur Sub-Division, NPDCL may please be dropped.
- iv. However, for avoiding this type of dispute with M/s. BSNL, it is better to sanction the future BSNL Cell Site works on turn key basis on par with other cell sites where there is no single complaint on delay in release of supply and compensation claim.

**V. The Divisional Engineer/Construction & Operation/Mulugu,
Dt. 11.03.11 :-**

- i. The reports received from Assistant Divisional Engineer/Operation/Mulugu, Eturunagaram, Parkal and Bhoopalpally on delay in releasing of services to M/s. BSNL Cell Sites at various Villages in Construction & Operation, Mulugu Division are herewith submitted for favour of kind consideration please.
- ii. As observed from the reports of Assistant Divisional Engineers/Operation, it is noticed that :-
 - a. The BSNL authorities are not arranged Service Connection Cable for releasing of supply in time. As per General Terms and Conditions of Supply (G.T.C.S) Clause 5.4.1.1. consumers has to arrange service connection cable and to be intimated to the Local NPDCL Officer. Otherwise the service cannot be released in time.
 - b. There are lot of objections form the farmers for laying of lines in the fields. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.2.4., the consumer has to arrange necessary

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Way-leave clearance for execution of line work. But this was not done by BSNL. The local line laying disputes were cleared by NPDCL Staff duly convincing the farmers. This has taken lot of time for erection of lines and completion of work.

- iii. As per General Terms and Conditions of Supply (G.T.C.S.) Clause 5.6.1. as soon as the consumers installation is completed in all respects in all respects and tested by the consumers licensed electrical contractor, the consumer should submit the contractor's "Wiring Completion report to concerned Section Officer. Even after repeated requests the BSNL authorities have not produced the wiring completion report to concerned Section Officer. But however the services are released.
- iv. In view of the circumstances explained above, there is no lapse on the part of NPDCL side for delay in release of service.
- v. Hence the kind authority is requested to consider the above reasons for delay in releasing of service which are beyond the limits of NPDCL and the compensation proposed to Construction & Operation Division Mulugu, NPDCL may please be dropped.
- vi. However, for avoiding this type of dispute with M/s. BSNL, it is better to sanction the future BSNL Cell Site works on turn key basis on par with other dell sites (Ex. M/s. GTL, Indus & Bharathi Infratel etc.) where there is no single complaint on delay in release of supply and compensation claim.

VI. The Divisional Engineer/Operation/Narsampet, Date. 14.03.11 :-

- i. The reasons for delay in releasing the supply to BSNL Cell Sites located at various places in Narsampet Division are herewith submitted item wise are as follows :-
 - a. Due to objections raised by the local public and surpanches the works were delayed. The copy of letters obtained from surpanches and enclosed.
 - b. Due to non procurement of service wires, non cooperation of Local Staff Lineman. No pole services could not be released even though meter is issued (Duggondi, Medipally).
 - c. In Kothaguda Mandal even though works are completed SDE telephones has requested not to release the services at Gangaram and Komatlagudem.

- d. The BSNL authorities no where furnished the wiring completion reports for releasing the services. Pending receipt of the same services are released with a bonafied interest.
- e. APNPDCL is very much liberal and generous towards BSNL in day to day rectification works or in giving new services. No undue delay is caused in releasing services if at all delay occurred it might be due to genuine field constraints which are inevitable during the field execution.

VII. The Divisional Engineer/Operation/Mahabubabad, Date. 14.03.11 :-

- i. The reasons for delay in releasing the supply to BSNL Cell Sites located at various places in Mahabubabad Division are herewith submitted item wise are as follows :-
 - a. Due to objections raised by the local public and surpanches the works were delayed.
 - b. The BSNL authorities no where furnished the wiring completion report for releasing the services. Pending receipt of the same services are released with a bonafied interest.
 - c. Due to rocky soil earth pits could not be excavated. Hence delay has taken place. Master earthing was done from near by 100 KVA DTR by making alternate arrangement. This is a genuine field constraint one has to admit.
 - d. House owner objected for erection of pole in his premises at Penugonda and surpanch also objected for laying of line along the road. Dispute is still pending. As soon as the dispute is solved work will be executed.
 - e. APNPDCL is very much liberal and generous towards BSNL in day to day rectification works or in giving new services. No due to genuine field constraints which are inevitable during the field execution.

VIII. The Divisional Engineer/Construction & Operation/Warangal, Dt. 22.03.11 :-

- i. It is once again to submit that the reasons for the delay in releasing of new services connections to BSNL cell towers in various sections in construction & Operation Warangal Division are due to not providing of service wire by the BSNL authority in time as mentioned in their earlier reply.

- ii. Further it is to submit that the BSNL authority in any cell tower not intimated in writing that every thing is ready from their side and awaiting supply from NPDCL as mentioned in their reply.
- iii. The same is reinstated by the statement given with concerned section officer and Assistant Divisional Engineer's.
- iv. Further BSNL authority not given internal wiring completion certificate at any single tower. However the supply is extended in the interest of public.
- v. The BSNL authority not followed the General Terms and Conditions of Supply as per Clause :-

5.4.1.1. – The consumer are required to lay the service connection cable and also fix up the meter box and MCB.

The same is not intimated.

5.5.1. – Wiring or apparatus in case of LT consumers should be inspected and approved by the designated officer of the company.

The same is not intimated.

5.6.1 – For the protection of the consumer and public in general it is necessary that the wiring on the consumer premises should confirm to the Indian Electricity Rules and be carried out by a licensed electrical contractor.

The same is not submitted.

- vi. After intimation against the above clauses by the consumer the company representative will inspect and test the consumer installations as mentioned in Clause 5.7.
- vii. The section officers mentioned that no where the BSNL authority has submitted the same. But in the interest of the public the supply is extended.
- viii. It is requested that the kind authority for recommending the extension of supply at new BSNL cell towers in future on turn key basis to avoid complications please.

Based on the reports submitted by the respondents in connection with delay in releasing of service connection to BSNL authorities to their cell sites, the same were communicated as narrated above (**Annexure-II**) to the complainant for raising any objections on the reports furnished by the respondents vide T.O. Lr. Dated.

In response to the above letter the objections are raised by the complainant against each site as per the reports submitted by the respondents. The detailed information point wise (Site-Wise) as per the information obtained from the respondents and objections raised by the complainant are narrated in detailed in **Annexure – III**.

3. **Analysis of the Case :-**

The contention of the complainant is that as per the A.P. Electricity Regulatory Commission, Regulation 7 of 2004, Schedule-II, the new service connection should be provided within 30 days from the date of payment. In the event of not providing the connection within the prescribed date, an amount @ Rs. 50/- per day is to be compensated. The respondents have released their 40 Nos. BSNL service connections to cell sites with much delay hence they are liable to pay compensation for the delay took place in accordance with the above regulation.

It is observed from the records furnished by the respondents and complainant, the 40 Nos. services released with delay due to some problems like due to farmers objection and local site problems raised by the farmers for changing the location for giving service connection by the respondents to the BSNL cell sites. Due to the above problems and not providing service connection cable well-in-time by the complainant and also not providing the wiring completion report to the respondents the supply was not provided within the scheduled time as per the above regulations.

As per the following Clauses in General Terms and Conditions of Supply any consumer has to follow the instructions for release of supply within the time as prescribed in the regulation for not to take any delay.

Clause : 5.2.4. :-

Where the consumer's premises has no frontage on a street and the supply line from the company mains has to go upon, over or under the adjoining premises of any other person (and whether or not the adjoining premises owned jointly by the consumer and such other person), the consumer shall arrange at his own expenses for any necessary way-leave, license or sanction. The Company shall not be bound to afford supply until the way-leave or sanction is granted. Any extra expenses incurred in placing the supply line in accordance with the terms of the way-leave, license or sanction shall be borne by the consumer. In the event of the way-leave, license or sanction being cancelled or withdrawn, the consumer shall, at his own cost, arrange for any diversion of the service line or the provision of any new service line thus rendered necessary.

CLAUSE – 5.4.1.1. :-

New Service : The prospective consumers are required to lay the service connection cable and also fix up the meter box and MCB (cut-out) as per the standards and procedures prescribed by the Company as specified in Appendix XI of the General Terms and Conditions of Supply on 'Procedure for Fixing Service Connection Cable and Meter Box/Cut-out/MCB in the Premises of LT consumers'. For such jobs, the consumer shall utilize the services of licensed electrical contractors only. The Company shall supply only the meter and metering unit such as the CT & PT wherever required. No charges are payable by the consumer to the Company towards the service connection. In case of agriculture and street lighting categories, the procedure notified by the Company with approval of the Commission from time to time shall be followed.

CLAUSE 5.6.1. :-

For the protection of the consumer and public in general, it is necessary that the wiring on the consumer's premises should conform to the Indian Electricity Rules 1956, and the rules of the Fire Insurance Company in terms of which the building is insured and be carried out by a licensed electrical contractor. As soon as the consumer's installation is completed in all respects and tested by the consumer's licensed electrical

contractor, the consumer should submit the contractor's Wiring Completion Report to the Designated Officer of the Company. A form for this purpose shall be supplied at the office of the Company notified in the Designated Officer's Notification. It is important that the clauses named therein are fully complied with, as otherwise there will be a delay in obtaining the supply.

The question of payment of compensation to the consumers is arise only to the consumers who will follow the rules and regulations of the licensee along with General Terms and Conditions of the Supply before entering into the agreement with the licensee for release of new service connections.

In this case, due to non following the Terms and Conditions as narrated in above Clauses of General Terms and Conditions of Supply by the complainant and various outside problems beyond the control of licensee, the respondents have released the service connections to the BSNL authorities to their cell sites with abnormal delay.

After examination of information produced by the respondents and complainant, the Forum has come to the conclusion that the complainant has not fulfilled the conditions mentioned in the General Terms and Conditions of Supply and also the complainant has not produced the proof of documentary evidence to the Forum in connection with certain reports which are suppose to furnish to the respondents for releasing of services as per the General Terms and Conditions of Supply. Hence in this case, the awarding the compensation to the complainant for delay took place in releasing of new services to cell sites is not considered.

4. ORDER :-

Keeping in view of the above circumstances, at the outset due to non fulfillment of the mandatory conditions laid down in the General Terms and Conditions of Power Supply by the complainant herein and also under un-guessed

stiff apposition from the local public and the Surpanches of the area concerned and also due to other surcharged situations beyond the control of the department to face them as cited above the payment of compensation to the complainant herein for the delay in release of new service connections to their cell sites is not considered.

Further the complainant is advised to take the permission from the licensee for the extension of supply at new BSNL cell towers in future cases for sanction on turn key basis on par with other cell sites (Ex. M/s. GTL, Indus and Bharathi Infratel etc) to avoid complications like in this case.

5. **Reasons for Delay :-**

There is a delay of about 65 days in deciding the petition. The reasons for delay are :-

- i. Non-receipt of reports from respondents.
- ii. Insufficient information filed by the complainants.

6. If the complainant is aggrieved by the order of the forum he may represent to Vidyut Ombudsman, APERC, Singareni Bhavan, IVth Floor, Red Hills, Hyderabad-500 004, within (30) days of receipt of this order as specified in clause (9) of Regulation 1 of 2004 of A.P. Electricity Regulatory Commission of A.P.

Signed on 25th day of April, 2011.

Sd/-
K. RAMESH
MEMBER (LEGAL)

Sd/-
G. RAVEENDRANATH
MEMBER (ACCOUNTS)

Sd/-
T. SADARLAL
CHAIRPERSON

Endt. No. C.P./C.G.R.F/NPDCL/WGL/C.G. No. 300/2011-1 Dt. 25.04.2011.

Copy to :-

The General Manager (IT)/Corporate Office/NPDCL/Warangal.

(He is requested to place the order in the Company's Website).

Sri. Dr. A. Sudharshan Reddy, President, Centre for Environmental Studies,
H. No. 2-2-421, Kishanpura, Hanamkonda, Warangal-Dist.

The Stock file.

//FORWARDED BY ORDER //

Member (Legal)
Consumer Grievances Redressal Forum.

