

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

28th Day of May, 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. 307/2011 of Warangal Circle

Between

Sri. P. Venkat Reddy
S.C. Nos. 44, 617 & 618
Chinnavanagara-Village
Thorrur-Mandal
Peddavangara-Section Office
Warangal-Dist.
Pin Code No. 506317

Complainant

AND

1. Assistant Engineer/Operation/Chinnavangara.
2. Assistant Divisional Engineer/Operation/Thorrur.
3. Assistant Accounts Officer/Sub-ERO/Thorrur.
4. Divisional Engineer/Operation/Mahabubabad.

Respondents

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Sri. P. Venkat Reddy, Chinnavangara-Village, Thorrur-Mandal, Peddavangara-Section Office, Warangal-Dist., hereinafter called as the complainant in his complaint dated. NIL, received and registered on 07-02-11, under Clause 5(7) of APERC Regulation 1 of 2004 read with Section 42(5) of Electricity Act 2003, stated the following :-

- i. The consumer Sri. P. Venkat Reddy, S/o. Ram Reddy, R/o. Chinnavangara-Village, cultivating agriculture dry land having agricultural connections S.C. No. 44 in Chinnavangara. It is the oldest service after Year 2004, it has been recategories as non free service from free service.

Contd.2

- ii. The S.C. No. 44 is in the name of Sri.P. Venkat Reddy, S.C. No. 617 is in the name of Smt. P. Neerajamma, which was connected in the Year 2006 ending S.C. No. 618, is in the name of Sri. P. Ravinder Reddy, which was connected in the Year 2006 ending.
 - iii. The above services are in the different names surprisingly the above services totally changed into non free which is highly injustice. They paid concerned bills as service charges for S.C. Nos. 44, 617 & 618 paying Rs. 1040/-, on each service, S.C. No. 44 from 2005, S.C. No. 617 from November, 2007. S.C. No. 618 from November, 2008.
 - iv. The consumer is not an income tax assessee and having only Acres 1-03 Guntas, Smt. P. Neerajamma, Acres 5-00 Guntas in the name of Sri. P. Ravinder Reddy of dry land only. And himself 1-03, only dry land S.C. No. 44 was in Survey No. 48 and only 0-35 Guntas dry land. As the circumstances explained their agricultural service connections must be charged from no free to free services.
2. As a sequel to the above complaint, Assistant Engineer/Operation/Chinnavangara, Assistant Divisional Engineer/Operation/Thorrur, Assistant Accounts Officer/Sub-ERO/Thorrur and Divisional Engineer/Operation/Mahabubabad, were directed to file their written submissions vide notice dated. 11.02.2011.
- I. The Assistant Accounts Officer/ERO/Thorrur, in his filings received on 19.02.11 & 18-03-2011, stated the following :-
- i. The Assistant Accounts Officer/ERO/Thorrur has addressed a letter to the Additional Assistant Engineer/Operation/Thorrur for submission of filed report in connection with S.C. Nos. 14512-00044, 14512-00617 & 14512-00018 vide his letter dated. 19.02.11. Further a reminder also issued by the Assistant Accounts Officer/ERO/Thorrur for submission of field reports by the Additional Assistant Engineer/Operation/Chinnavangara vide his letter dated. 18.03.11. But the Additional Assistant Engineer/Operation/Chinnavangara has not submitted his field report on the above services neither to the Assistant Accounts Officer/ERO/Thorrur nor to the Forum even after a lapse of more than two months.
3. The hearing was proposed to conduct on 16.05.11 at 10:30 A.M. in the Chamber of Chairperson/Consumer Grievances Redressal Forum/NPDCL/Warangal

during the hearing the respondents have attended the hearing Assistant Divisional Engineer/Operation/Thorrur and Assistant Accounts Officer/ERO/Thorrur, the complainant has not attended the hearing on the said date. The respondents have made their remarks during the hearing conducted as follows :-

I. The Assistant Accounts Officer/ERO/Thorrur :-

- i. The Chairperson was asked to produce the records of S.C. Nos. 44, 617 & 618 of Sri. P. Venkat Reddy at Chinnavangara Distribution, produced DCB's correspondence to Assistant Divisional Engineer/Operation/Chinnavangara vide Lr. No. 1178/Dt. 18.03.11 and D.No. 169/Dt. 09.05.11, the Assistant Divisional Engineer/Operation/Thorrur to produce field report on the above three connections so far the ground reports are not received. Soon on receipt of reports of Additional Assistant Engineer, Assistant Divisional Engineer and approval of Divisional Engineer, the action will be taken on the above three connections and report submitted to the Forum.

II. The Assistant Divisional Engineer/Operation/Thorrur :-

- i. The ground report will be submitted on or before 21.05.11 making all estimates to the field.

2nd Hearing was proposed and conducted on 21.05.11 during the hearing conducted, the complainant Sri. P. Venkat Reddy and the respondents i.e., Assistant Divisional Engineer/Operation/Thorrur, Junior Accounts Officer/ERO/Thorrur have attended the hearing and submitted the reports by the Assistant Divisional Engineer/Operation/Thorrur and Assistant Accounts Officer/ERO/Thorrur as follows :-

I. Assistant Divisional Engineer/Operation/Thorrur :-

- i. The Assistant Accounts Officer/ERO/Thorrur is requested to arrange field report on the above non free agricultural services for onwards submission to the Forum.

- ii. The Assistant Accounts Officer/ERO/Thorrur submitted a joint inspection report with Additional Assistant Engineer/ Operation /Chinnavangara on 17.05.11 and the consumers statement recorded particulars.
- iii. The Additional Assistant Engineer/Operation/Chinnavanagara submitted a detailed field joint inspection report with Assistant Accounts Officer/ERO/Thorrur on 17.05.11 and the consumers statement recorded particulars.
- iv. As per joint inspection made by the Assistant Accounts Officer /ERO/Thorrur and Additional Assistant Engineer/ Operation / Chinnavanagara on 17.05.11 and statement received from the consumer of S.C. No. 44, 617 & 618 of Chinnavangara Distribution of non free agriculture services. The consumer stated that he is having Survey No. 20/b total area 2.06 Acres of wet land of S.C. No. 14512-00617. He distributed 1.03 acres land to his wife Smt. P. Neerajamma and 1.03 acres kept for his own livelihood as per Revenue Record of Rights in the Year 2003-2004. Which was issued by Deputy Thasildar of Thorrur Mandal, Warangal-Dist.
- v. As per the consumer Sri. P. Venkat Reddy statement recorded the following land distribution made.

Survey No.	Total Area	Cultivation Land	Pattedar Name	Cultivation Name & Land & S.C. No.
47	10.09 Acres	10.09 Dry Land	Sri. P. Venkat Reddy	Sri. P. Rajender Reddy, 5.09 Acres S.C. No. 44
			Sri. G. Ramaiah	Sri. P. Ravinder Reddy, 5 Acres, S.C. No. 618.
48	0.35 Acres	0.35 Dry Land	Sri. P. Venkat Reddy	Sri. P. Rajender Reddy, 0.35 Acres

- vi. The consumer stated that he has distributed the land to his family as above and the names were changed in the revenue records as above and explained that his sons were separated from him and cultivating there own land as per above. But he does not know the rules and regulations for changing of name in the Electricity Department.
- vii. Hence he has neither requested nor applied to the department for name changing of service connection numbers and requested the changing of names as below :-

- i. S.C. No. 44 for Sri. P. Rajender Reddy, S.C. No. 617 for Smt. P. Neerajamma, S.C. No. 618 for Sri. P. Ravinder Reddy from 2003-2004 as changed in the revenue records and requested to change categories from non free to free from the date of effecting of non free.
- viii. In the circumstances explained and as per the fact information and enquiry made neighbors of the consumer as per joint inspection report it is recommended for effecting for changing categories from non free to free agriculture services as per the NPDCL prevailing rules.

I. **Assistant Accounts Officer/ERO/Thorrur :-**

- i. The letter has been addressed to the Additional Assistant Engineer/Operation/Chinnavanagara for furnishing of field report on the above agriculture non free services for onwards submission to the consumer forum.
- ii. The Chairman/Consumer Grievances Redressal Forum/ NPDCL/ Warangal instructed to attend office for hearing of S.C. Nos. 44, 617 & 618 along with documents on 16.05.11 at the Forum Office.
- iii. The Assistant Divisional Engineer/Operation/Thorrur is requested to arrange field report on the above non free agricultural services for onwards submission to the Forum.
- iv. A joint inspection made by the Assistant Accounts Officer /ERO/Thorrur and Additional Assistant Engineer/ Operation / Chinnavanagara on 17.05.11 and application received from the consumer of S.C. Nos. 44, 617 & 618 of Chinnavanagara Distribution of non free agriculture services. Sri. P. Venkat Reddy stated that he is having Survey No. 20/b total area is 2.06 Acres of wet land of S.C. No. 14512-00617. He distributed 1.03 acres land to his wife Smt. P. Neerajamma and 1.03 acres kept for his own livelihood as per Revenue Record of Rights in the Year 2003-2004. Which was issued by Deputy Thasildar of Thorrur Mandal, Warangal-Dist.
- v. The consumer Sri. P. Venkat Reddy have another Survey Numbers 47 and 48 dry land in his own cultivating distributed to his two sons as below as per **REVENUE RECORDS OF RIGHTS** in the Year 2003-2004, Which was issued by Deputy Thasildar of Thorrur-Mandal, Warangal-Dist.

Survey No.	Total Area	Cultivation Land	Pattedar Name	Cultivation Name & Land & S.C. No.
47	10.09 Acres	10.09 Dry Land	Sri. P. Venkat Reddy	Sri. P. Rajender Reddy, 5.09 Acres S.C. No. 44
			Sri. G. Ramaiah	Sri. P. Ravinder Reddy, 5 Acres, S.C. No. 618.
48	0.35 Acres	0.35 Dry Land	Sri. P. Venkat Reddy	Sri. P. Rajender Reddy, 0.35 Acres

- vi. The consumer stated that he has distributed the land to his family as above and the names was changed in the revenue records as above and stated that his sons were separated from him and cultivating there own land as per above. But he does not know the rules and regulations for changing of name in the Electricity Department.
- vii. Hence he has neither requested nor applied to the department for the name changing of service connection numbers and now requested the changing of names as below :-
 - i. S.C. No. 44 for Sri. P. Rajender Reddy, S.C. No. 617 for Smt. P. Neerajamma, S.C. No. 618 for Sri. P. Ravinder Reddy from 2003-2004 as changed in the revenue records as there were separated from him and requested to change categories from non free to free from the date of effecting of non free.

4. Analysis of the Case :-

The contention of the complainant is that the land acquired by him from his Forefather has already distributed in the Year 2003-2004 to his Sons Sri. P. Rajender Reddy, Sri. P. Ravinder Reddy and having 1.03 Acres on his name and 1.03 Acres in his Wife Smt. P. Neerajamma to this extent the complainant has also submitted Phani Nakkal issued by the Dy. Tahsildar, Thorrur-Mandal, Warangal-Dist. He is having Three Number Service Connections in different names i.e., S.C. 44, Sri. P. Venkat Reddy, S/o. Ram Reddy (Complainant), S.C. No. 617, Smt. P. Neerajamma, W/o. P. Venkat Reddy, S.C. No. 618, Sri. P. Ravinder Reddy, S/o. P. Venkat Reddy. But the department has changed/re-categorized these service connections from free agricultural connections to non free agricultural connections and issued demand notices for payment under non free

category. The argument of the complainant is that when the land already distributed among his sons and wife and he is having limited land i.e., 1.3 Acres the service connections how can be applied from free agricultural connections to non free agricultural connections thinking that all these three number agricultural service connections are existing in the name of Sri. P. Venkat Reddy (Complainant) as per the records available with the department. It can be observed that the above three number agricultural services are not name changed effected by the department as per the land distributed by the complainant and also he has not submitted any proposals to the department for name change effect according to the land distributed among his sons and wife due to this reason only, the department has categorized the above three number agricultural service connections from free agricultural service connections to non free agricultural service connections. Hence the problem has arised like this and the complainant has lodged a petition in the Forum for doing favourable action against him as per the circumstances as above explained by him.

4. **ORDER :-**

The respondents are directed to verify the records from the MRO concerned as per the Pahani produced by the complainant to the extent of land disbursed by him among his sons and wife for considering his agricultural service connections to re-categorization from non free to free for the S.C. Nos. 44, 617 & 618. Further the respondents are directed to obtain the all related documents/information from the complainant as per the rules/guidelines issued by the licensee for considering his request for effecting the name change and re-categorization of his agricultural service connections from non free to free for the above said service numbers as per the departmental rules in vogue.

A detailed compliance report duly implementing these orders shall be submitted to the Forum within 15 days from the date of receipt of these orders.

The complainant is also requested to give full co-operation to the respondents in connection with providing of related documents/information for considering his request for re-categorization of his agricultural service connections from non free to free and also effecting name change proposals as per the land disbursed among his sons and wife.

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 28th day of May, 2011.

Sd/-	Sd/-	Sd/-	Sd/-
K. RAMESH	G. RAVEENDRANATH	A. SUDHARSHAN REDDY	T. SADARLAL
MEMBER (LEGAL)	MEMBER (ACCOUNTS)	CO - OPTED (MEMBER)	CHAIRPERSON

Endt. No. C.P./C.G.R.F/NPDCL/WGL/C.G. No. 307/2011-1 Dt. 28.05.2011.

Copy to :-

The Superintending Engineer/Operation/NPDCL/Warangal.

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.

//FORWARDED BY ORDER //

**Member (Legal)
Consumer Grievances Redressal Forum.**

