

**VIDYUT OMBUDSMAN**  
**O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION**  
**4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004**

Present

**K.Sanjeeva Rao Naidu**  
Vidyut Ombudsman

**Dated: 20 -02-2013**

**Appeal No. 96 of 2012**

Between

Sri. B.V.S. Narasimha Rao,  
Opp: Ratnagiri Resort, Bendapudi, Thondangi Mandal, E.G. Dist

**... Appellant**

**And**

1. Assistant Engineer / Operation / APEPDCL/ Kotananduru / E.G Dist
2. Asst. Divisional Engineer / Operation / APEPDCL / Tuni / E.G. Dist
3. Divisional Engineer / Operation / APEPDCL / Jaggampeta / E.G. Dist

**.....Respondents**

The appeal / representation received by this authority on 11.12.2012 against the CGRF order of APEPDCL C.G. No. 243 / 2012-13 of E.G.Dist dated 12.09.2012. The same has come up for final hearing before the Vidyut Ombudsman on 28.01.2013 at Visakhapatnam. Sri. B.V.S.Narasimha Rao, appellant, and Sri P.Satyanarayana Murthy, AAE/Op/Kotananduru for the respondents present. Heard the arguments of the parties and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

**AWARD**

The petitioner filed a complaint before the CGRF against the Respondents for redressal of his Grievances. In the complaint, the appellant has mentioned about the grievances as hereunder:

"He has filed a complaint stating that though the estimate cost paid by the complainant, the new Agricultural service has not been released, and hence requested for justice."

2. The respondent no.1 has filed his written submission as hereunder:

*"The consumer complaint received from Busala Venkata Satya Narasimha Rao towards 2No's AGL services t Smt. Busala Bullammai and Sri Busala Venkata Satyam at Kottam village, Kotananduru Mandal.*

*In the above work poles were drawn, and handed over to the local contractor to take up the work. During pit marking as per sanctioned sketch it is observed that the length of 11KV line was not covered to the consumer premises. The same was intimated to the consumer and received consent letter from the consumer for total length of 11KV line nearest to the consumer premises, and same was intimated to higher authorities, for revision of the estimate. After revised sanction the revised sanction amount will be intimated to the consumer and after payment of revised sanction amount the work will be taken up. The consumer also agreed to pay the revised amount and given a consent letter. The consent letter is herewith enclosed.*

*The above work delayed due to non availability of contractors and huge pendency of AGL works from lost 2007-2008 only. The section being upland area and inflow AGL Application are heavy high side and existing contractors are not in a position to coup with the field demand and that the delay not all initial or other wise."*

3. The respondent No. 2 has filed his written submission as hereunder:

*"Smt. Busala Bullammai and Sri Busala Venkata Sathyam at Kottam village Kotannaduru Section applied for Agricultural service on dt. 08.02.2012. The estimate was sanctioned by Divisional Engineer, Operation, Jaggampeta vide sanction no. JAG SDR 1278/09-10, and the consumer paid the necessary estimate charges for Rs. 97809 on Dt. 13.07.2010 and the work order was issued to carry out the work on 28.07.2010.*

*On enquiry with AAE/O/Kotananduru, it is learnt that the above work could not be taken up immediately as there is huge pendency in execution of AGL works in Kotanandur Section since 2008, and the pending works could not be completed in time due to contractor's lapse.*

*When actually the execution of work was started it is observed that there is a huge deviation of quantities of work as against the sanctioned quantities.*

*Immediately the same was intimated to the consumer and the consumer had given a consent letter to the AAE/O/Kotananduru on dt. 27.06.2012 stating that he was prepared to pay the necessary difference of estimate charges if the estimate is revised.*

*Based on the consumers consent letter, the revised estimate was prepared immediately and sent to higher officials for sanction. The revised estimate was sanctioned by Superintending Engineer, Operation,*

*Rajahmundry on dt. 07.08.2012 vide sanctioned no Dr. No. 280/12-13, for Rs. 338071/-."*

4. After hearing both sides and after considering the material available on record the Forum passed the impugned order as hereunder:

- **The respondents are herewith directed that the above execution of Agricultural works should be commenced immediately duly getting the difference amount of estimated cost as intimated.**
- **The complainants are herewith directed that the difference cost should be paid immediately for commencing the same work as requested.**
- **With the above directions, the CG.No. 243/2012-13 is disposed off.**

5. Aggrieved by the said order, the appellant preferred this appeal questioning the same on the following grounds:

- (i) The AE/Op/Kotananduru failed give priority to the works in preparing the estimate.
- (ii) When the works are pending since 2008 and when the same is inspected in 2012 and for the works the amounts paid in the year 2010 when could be completed was not taken into consideration by the Forum and he did not receive the information properly.
- (iii) When the estimation is sanctioned in the year 2009-10 and when the rates are increased in the year 2012-13 how the appellant is responsible for the same.
- (iv) As per the standards of performance, the service has to be released within 60 days but the same was not considered properly and requested this authority to do justice.

6. Sri B.V.S.Narasimha Rao, appellant present before this authority on 09.01.201 and 28.01.2013 and reiterated the same grounds mentioned in the grounds of appeal.

7. Whereas, the respondents are represented by Sri P.Satyanarayana Murthy, AAE/Op/Kotananduru and submitted their written submissions and stated that when actually the execution work was started, it was observed that there was a huge deviation of quantities of work as against the sanctioned quantities. The same was

intimated to the consumer and the consumer had given consent letter to the AAE/Op/Kotananduru on 27.06.2012 to stating that he was prepared to pay the difference of estimate charges, if the estimate is revised.

8. The Forum has directed basing on the representation of the appellant to pay the revised estimate and also directed the respondents to attend the work. Having given consent letter to the revised estimated amount he cannot turn around and say that there are lapses on the part of the respondent officials. When once the work is taken up and deviated on account of the ground position, etc and when a revised estimate is made and when the appellant has given consent to pay the same excluding the payment already made, there is no point in saying that the department is liable for lapses.

9. The service connection has to be released within 60 days is the norms fixed by the department soon after paying the estimated amount. Whether he paid the amount or not is not borne out from the record. However, it is necessary to give a direction to the respondents to release the service connection by taking immediate steps soon after paying the amounts of revised estimate as pointed out by the Forum.

10. The appellant is also directed to pay the revised estimated amount immediately. Soon after the payment, the respondents are directed to complete the work within 30 days from the date of such payment.

11. With this observation, the appeal is disposed.

This order is corrected and signed on this 20<sup>th</sup> February , 2013.

Sd/-  
VIDYUT OMBUDSMAN