

**BEFORE THE DISTRICT CONSUMER DISPUTES
REDRESSAL COMMISSION :: GUNTUR**

Present: Smt. T. Suneetha, M.S.W., B.L., P.G.Dip.C.L.P. PRESIDENT
Smt. K. Vijaya Lakshmi, B.Com., L.L.B, MEMBER
Sri. G. Punna Reddy, B.A., B.L., MEMBER

Saturday, the 4th day of November, 2023

CC.No.27 of 2023



Between:

G.L.N. Prasad, S/o. Suryanarayana,
Aged 72 years, 5-35-10,
3/18 Brodipet, Guntur-2.

...Complainant

and

Superintendent of Post Offices,
Tenali, Guntur District.

...Opposite parties

This complaint coming-up before us for hearing on 25-09-2023 in the presence of complainant and of Sri B. Chandrasekhar, advocate for opposite party and on perusing the material on record, and having stood over till this day for consideration, this Commission made the following:

ORDER

Per Smt. K. Vijaya Lakshmi, Member: The complainant who is aged about 72 years approached this Commission in person alleging deficiency of service on the part of the postal authority i.e., the opposite party contending inter alia that when he approached a Sub-Post Office of Siripudi village of Pittalavanipalem Mandal for withdrawing an amount of Rs.1,000/- from his savings account, the Post Master refused to honour the withdrawal, when the complainant intended to make a complaint through registered post he was informed that there is no registration service at the office, subsequently he was informed by Pittalavanipalem Post Master that as his savings account was inactive, withdrawal could not be permitted and also informed that the registered post facility is available at Siripudi Sub Post Office, therefore there is a deficiency of service on the part of the opposite party.

3. The opposite party filed its version admitting that the complainant is having a savings account that the complainant is having Rs.94,000/- balance in his account that the attempt for withdrawal of Rs.1,000/- on 30-09-2022,

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that the complainant made an attempt to avail the services of registered post from Siripudi post office, however, it is the contention of the opposite party that as per the rules and guidelines of the postal authority, if there are no transactions of either withdrawal or deposit in any savings account for three continuous financial years, the account will be automatically become inactive and the inactivated account can only be activated upon the application of the customer with KYC particulars and along with either a withdrawal or deposit in the savings account by the customer, that in the case of the complainant the savings account of the complainant was inactivated as on 23-07-2021 and after obtaining necessary documents from the complainant, the account of the complainant was revived, but as the complainant has not done any transaction during that financial year before 31-03-2022 the savings account again became inactive and therefore, the Sub Post Master, Siripudi could not accept the withdrawal of the amount by the complainant on 30-09-2022. With regard to the facility of registered post at Siripudi SPO it is the contention of the opposite party in its version that the facility of registered post service through RICT machine is available through which a receipt for registered post will be generated. But on the particular date 30-09-2022 the said RICT machine was not working due to technical issue, therefore the SPM informed the complainant that the registered post will be sent to nearest post office i.e., SPO Pittalavanipalem. But the complainant refused for it, therefore there is no deficiency of service on their part.

4. To substantiate his case, the complainant filed his evidence affidavit and marked Exs.A-1 to A-9. In support of his contention the Superintendent of Post Office, Tenali Division filed his evidence affidavit and also filed documents marked as Exs.B-1 to B-6.

K.V. Kesari

5. On consideration of the complaint, evidence and the material available on record, the points that arise for consideration in this case are:

1. Whether, there is deficiency in service on the part of opposite party, as averred in the complaint?
2. To what relief?



6. **POINTS 1&2:-** Now the allegations of the complainant against opposite party are on two counts.

1. He was refused to withdraw Rs.1,000/- on 30-09-2022 from his savings account even though there is a balance of 94,000/- in his account.
2. Refusal on the part of the opposite party (Siripudi SPO) in not accepting the registered post.

As per the pleadings of both parties, the admitted facts are:

1. The complainant is having savings account bearing No.9836620992 with Siripudi SPO.
2. The said account became inactive by 23-07-2021 as there were no transactions for the last three years.
3. The said account became activate w.e.f. 23-07-2021 on the application of the complainant.
4. The account of the complainant had a clear balance of Rs.94,000/- as on 30-09-2022.
5. On 30-09-2022 the complainant attempted to withdraw of Rs.1,000/- from his savings account
6. But the opposite party could not accept the withdrawal on the ground that the account was inactive as on 30-09-2022.
7. On 30-09-2022 the complainant attempted to send the complaint through registered post from Siripudi SPO.
8. But the Siripudi SPO could not accept the registered post as the RICT machine was not working due to technical problem.
9. The complainant thereafter deposited an amount of Rs.500/- in his savings account on 09-12-2022 and also withdrawn an amount of Rs.1500/- from his account on 16-12-2022 (as per Ex.B-3).

So far as the 1st ground is concerned as stated above as on 30-09-2022 there was a clear balance of Rs.94,000/- in the account of

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complainant as per Ex.B-3 and seen from Ex.B-4 statement of the BP. The complainant on 30-02-2022 approached him for withdrawal and as per the CBC the account of the complainant was shown as silent.

As per Ex.B-2 the account of the complainant is inactive by 23-07-2021 and it was activated on 23-07-2021 on the written request of the complainant. Within 14 months from the date of revival of the account i.e., on 30-09-2022 the complainant approached for withdrawal, but the account shows that the account was inactive. The counsel for the opposite party contend basing on Ex.B-5 that even though the complainant made an application for revival of inactive account on 23-07-2021 under Ex.B-2, as the complainant failed to make any transaction during the said financial year either by withdrawal or deposit in his account as mandate rule 63 in Ex.B-5, the savings account of the complainant remained inactive as on 30-09-2022.

The complainant who appeared in person draw our attention to the transaction in Ex.B-3 his statement of accounts and contended that without obtaining any fresh revival letter or KYC like Ex.B-2, he was allowed to deposit and withdraw the amounts from his account, two months after the fateful day, the opposite parties failed to produce any material before this Commission to show that after 30-09-2022 the complainant made an application of revival of his inactive account, nor it is the contention of the opposite party that subsequent to 30-09-2022 they obtained fresh KYC from the complainant and revived the inactive account.

Therefore, we find force in the contention of the complainant. There is no explanation from the opposite party how the deposit on 09-12-2022 and withdrawal on 16-12-2022 was allowed from the alleged inactive account without obtaining fresh revival letter and KYC as per rule 62 and 63.

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Therefore, the contention of the opposite party that the account of the complainant was inactive as on 30-09-2022 is rejected and we hold that there is a deficiency of service on the part of the opposite party in not allowing the complainant who is a senior citizen to withdraw Rs.1000/- on 30-09-2022.

The 2nd contention of the complainant is that he was not allowed to send his grievance through registered post. As per Ex.B-4 statement of BPO the complainant attempted to book the registered post, but RICT device was not working due to technical problem and the registered post could not be booked.

The complainant submitted that as per the rules when the machine was not working, the office has to receive the registered post by issuing a manual receipt which fact was not denied by the opposite party, however the contention of the opposite party on that day the RICT machine was not working and as per Ex.A-2 reply by the opposite party RP 51 (register journal) supplied to Siripudi PO for issuing of receipts manually when there is a network problem. It is the duty of the opposite party to see that manual registered post facility is available in all Post offices and failure to provide the said facility amounts to deficiency of service.

Therefore, in view of our findings above, we have no hesitation to hold that there is a deficiency of service on the part of the opposite parties in providing services to the complainant who is a senior citizen who is 72 years old. In view of the findings, the complainant is entitled to Rs.5,000/- towards compensation and also entitled Rs.3,000/- towards costs.

In the result, the complaint is allowed in part as indicated below:

1. The opposite party is directed to pay Rs.5,000/- (Rupees five thousand only) towards compensation to the complainant.

K.V. Reddy





2. The opposite party is directed to pay Rs.3,000/- (Rupees three thousand only) to the complainant towards costs.
3. The opposite parties are directed to comply the above directions within a period of six weeks from the date of this order.

Typed to my dictation by stenographer, corrected by me, and pronounced in the open Commission, dated this the 4th day of November, 2023.

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MEMBER

[Signature]
MEMBER

[Signature]
PRESIDENT

APPENDIX OF EVIDENCE

For complainant: Sri GLN Prasad - PW1
For opposite party : Sri T. Veera Raghavulu - DW1

DOCUMENTS MARKED

For complainant:

Ex. Nos.	DATE	DESCRIPTION OF DOCUMENTS
A1	09-11-2022	Reply letter from opposite party to complainant
A2	07-12-2022	Letter from opposite party to complainant
A3	-	Copy of passbook with update entries
A4	12-11-2022	Notice to opposite party issued by complainant
A5	07-12-2022	Letter from opposite party to complainant
A6	29-12-2022	Letter from opposite party to complainant
A7	08-03-2023	Letter from opposite party to complainant
A8	15-02-2023	RTI first appeal order copy
A9	-	Copies of manual receipts issued by Pos'

For opposite party:

Ex. Nos.	DATE	DESCRIPTION OF DOCUMENTS
B1	28-22-2022	Office copy of reply notice
B2	22-07-2021	Attested copy of application for the revival of silent SB account of the complainant
B3	-	Attested copy of transaction inquiry of SB account of complainant
B4	07-11-2022	Attested copy of statement of Branch Postmaster, Siripudi
B5	-	Attested copy of post office savings bank manual regarding Rules 62 and 63
B6	12-11-2022	Attested copy of RTI application of complainant

Dismissed 1515
07/11/2023

[Signature]
PRESIDENT