

BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES OF
SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED
TIRUPATI

This the 28th day of September 2012

C.G.No:137/2012-13/Nellore Circle

Present

Sri K. Paul
Sri A.Venugopal
Sri T.Rajeswara Rao
Sri K. Rajendra Reddy

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri T.Adishesha Reddy
S/o Sundararami reddy
Valamedu (Village & Post
Vakadu (Mandal)
Nellore-Dist

Complainant

And

1. Assistant Accounts Officer/ERO/Kota
2. Assistant Engineer/Operation/Vakadu
3. Assistant Divisional Engineer/Operation/Kota
4. Divisional Engineer/Operation/Gudur

Respondents

Sri T.Adishesha Reddy, S/o Sundararamireddy resident of Valamedu (Village & Post), Vakadu(Mandal), Nellore-Dist herein called the complainant, in his complaint dt:08-8-2012 filed in the Forum on dt:08-8-2012 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 had stated that

1. He is having four numbers, aqua services (Nos:267, 288, 310 & 403) at Valamedu Village of Vakadu mandal in SPSR Nellore Dist.
2. In addition to the above, he is having two nos. agl services adjoining two nos. aqua culture ponds.
3. On 23-5-2012, the services were inspected by DE/Opn/Gudur.

4. The wires of agl services were found fallen near the pole at the time of inspection.
5. The inspecting officer had suspected that there was theft of power.
6. The lines where the inspection was carried out is belonging to 7 hrs agl transformer.
4. The inspecting officer had informed him that they suspect theft of service No: 310.
8. As per the instructions of them, he had signed in the inspection form, but he had received a notice against service No:403.
5. Service No: 403 is a new service (40HP). The meter is connected to the transformer directly.
6. The LT lines are at out going side of the meter. The load connected to the lines is through the meter. Without knowing /noticing the fact, theft notice was issued to him.
11. The service was under disconnection. Without doing any mistake, he is suffering.
7. Requested to instruct the concerned authorities to restore supply to his service (403). He will pay the amount as per their order, if decided that the notice issued is genuine

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-4 i.e. the Divisional Engineer/Operation/Gudur in his written submission dt:20-9-2012 received in this office on dt:25-9-2012 stated that:

Incriminating points:

1. Basically the ISC No:403 is released on 24 hrs express feeder emanating from 33/11 KV Balireddypalem SS.

2. At the time of inspection it is noticed that the motors are in service, the meter is not running.
3. The loads are connected to the existing 7 hrs supply LT lines which were across the ponds of the consumer (The LT line is being fed from 11KV Gangannapalem feeder emanating from 33/11KV Balireddypalem SS).
4. The connection available at out going side of the meter which is existing in 24 hrs express feeder from the cut out are intact.
5. On observing he found that the consumer has made an external arrangement by providing a fuse link cut out point.
6. The entire load is connected through this cut out directly to the existing LT over head lines with the help of 6 mt 3X16 + 25 sq.mm clock colour XLPE cable by doing this the consumer pilfered energy from the existing LT mains just by keeping removing set of fuse links at this cut out point and thus by passed the CT meter SCNo: 403.
7. This type of another fuse link cut out arrangement is also provided by the consumer in the LT net work of 24 hrs CT meter service
8. This is clearly an act of the indulgence of pilferage of energy by the consumer.

Findings of the Forum:

1. The grievance of the complainant is that he was unnecessarily made to suffer by the respondents by disconnecting his aqua service, implicating a false theft of energy case against.
2. As versed by the complainant, he is having four numbers of aqua services bearing SC.No.s 267,288,310 and 403 and also two numbers agl services adjoining the aqua ponds where the above said services were at Valamedu village of Vakadu mandal.Out of the above six services, the SC.No.403 is a

new service for a load of 40 HP for which the meter was directly connected to the transformer and the loads are on the LT out going side of the meter. But the inspecting officer without knowing the facts issued theft notice.

3. But the inspecting officer, herein the respondent-4, in his written submission mentioned that the said service no.403 was released to the complainant from a 24 hours express feeder emanating from 33/11 KV Balireddipalem SS. At the time of his inspection on 23-05-2012 at 15:30 hrs, the meter was not running though the motors were in service and on his detailed examination, he noticed that the loads were connected to the LT lines of 7 hours supply passing across the ponds and fed from 11 KV Gangannapalem emanating from the same 33/11 KV SS above. The complainant made a separate external arrangement for this purpose by fixing fuse link cut outs through which the entire loads are connected to the LT lines directly by means of 3x16+25 sq.mm black colored XLPE cable wires of 6 meters each duly by passing the CT meter and removing the fuse links on the out going side of the meter. The observations were shown to the complainant, prepared the inspection notes with due attestation of the complainant.
4. As could be seen from the above, the contentions of the complainant are baseless and the booking of the theft of energy case by the inspecting officer is in order.
5. Coming to the point of assessment of loss sustained by the company, the period of assessment, the un recorded consumption arrived on account of the said theft and the rates applied are in order in accordance with section 135 of Electricity Act 2003 and the Amendment Act 2007, the General Terms and Conditions of supply and the Retail Tariff orders for the financial years 2011-12 and 2012-13.

6. As such the complainant is liable to pay the said amount of Rs.1,60,010/- claimed by the respondents along with surcharge and RC fee without any further litigation for getting his service no.403 reconnected and to avoid disconnection of his other services.

In view of the above, the Forum passed the following order.

ORDER

The complainant is directed to pay the said amount of Rs.1,60,010/- claimed by the respondents along with surcharge and RC fee immediately without any further litigation for getting his service no.403 reconnected and to avoid disconnection of his other services as alternative by the respondents for realization of their revenue.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this the 28th day of September 2012.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.