

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

**On this the 25<sup>th</sup> day of April 2013**

**In C.G.No:325/2012-13/Vijayawada Circle**

***Present***

***Sri K. Paul***  
***Sri A. Venugopal***  
***Sri T. Rajeswara Rao***  
***Sri A. Sateesh Kumar***

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

***Between***

Sri. Er.Ch.Venkateswarlu  
DNo:33-10-14,  
Seetharamapuram Village & Post  
Vijayawada City  
Krishna-Dist-520002

Complainant

***And***

1. Assistant Accounts Officer/ERO/Town-1/Vijayawada
2. Assistant Engineer/Operation/Suryaraopet
3. Assistant Divisional Engineer/Operation/C & O/Vijayawada
4. Senior Accounts Officer/Operation/Vijayawada

Respondents

\* \* \*

Sri. Er.Ch.Venkateswarlu resident of Seetharamapuram Village & Post, DNo:33-10-14, Vijayawada City, Krishna-Dist-520002 herein called the complainant, in his complaint dt:04-02-2013 filed in the Forum on dt:04-02-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. There are 3 number services standing in the name of his wife Smt. CH.Ramalakshmi at Vijayawada under the jurisdiction of operation section Surya Rao pet.

2. The number so the three services above are 6424355139666, 6424355139667 and 6424355139669.
3. Since the release of the services because of the dispute between the consumer and the builder, the bills are paid regularly though the consumption is nil and hence there is no necessity of disconnection.
4. Since there was discrepancy in the billing he is corresponding with the AAO/ town-1/ Vijayawada through his letters dt:17-01-2012, 26-03-2012 and 02-04-2012.
5. While disconnecting his one of his services bearing SC.No: 139666 on 28-01-2012, the other two services also have been disconnected and since there is no other go he paid the amounts as dictated by the AE/Operation/Suryraoapet.
6. The actions of the AE/Operation/Suryraoapet on 25-01-2013 and 28-01-2013 were reported to the CMD/APSPDCL/Tirupati.
7. The non compliance to the clause No: 8.3.1 of GTCS and section 56 of the Electricity Act 2003 of the respondents may please be taken on file and action deem fit may be taken.

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

**The respondents-1 i.e. the Assistant Accounts Officer/ERO/Town-1/Vijayawada and the Assistant Divisional Engineer/Operation/C & O/Vijayawada in their combined written submission dt:NIL received in this office on 16-03-2013 stated that:**

1. The SCNo: 6424355139666 Suryaraopet section standing in the name of Smt. Rama Lakshmi, the CC.bill for the month of December 2011 for Rs.183/- has not paid and the amount was exhibiting in the

subsequent bills.

2. During April 2012 ISD of Rs.60/- is allowed and closing balance come down to Rs.122/- since May 2012 the consumer is paying part amount by way of cheques through post.
3. At this juncture the arrears has accumulated Rs.979/- upto December 2012.
4. Every time the D-list operation staff are orally requested the consumer to pay the arrear amount. But the consumer denied to pay the defaulted amount. In this connection there is no other way except disconnecting the service for realisation of APSPDCL revenue.
5. At this situation the service was disconnected on 28-01-2013, then the consumer has paid all the dues on 29-12-2013. In this connection the demand and collection from December 2011 to January 2013 is herewith enclosed.

**Findings of the Forum:**

1. The grievance of the complainant is that though he is paying the CC.Charges in accordance with the bills without fail regularly, his services were disconnected by the concerned AE on 25-01-2013 and 28-01-2013 and the matter was reported to the CMD/APSPDCL/Tirupati. Requested for the action deem fit against the officers for violation of the clause No:8.3.1 of GTCS and section 56 of Electricity Act 2003.
2. The respondents 1 and 3 i.e. the AAO/ERO/Town-1/Vijayawada and the ADE/C&O/Vijayawada in their reply stated that
  - i. The service number 6424355139666 was disconnected for non payment of bill amount of

Rs.183/- for the month of December 2011.

- ii. Since May 2012 the consumer is paying bill amounts by way of cheques through post resulted in accumulation of arrears to Rs.979/- as on December 2012.
  - iii. Every time the consumer was requested orally to pay the arrear amount, but the consumer denied to pay and finally resulted in disconnection of service on 28-01-2013 for realisation of revenue.
  - iv. The consumer on the immediate next day i.e. 29-01-2013 paid all the dues.
3. As could be seen from the account copies of the services, in respect of service number 6424355139666, there were arrears pending against the service from 12/2011 onwards till 12/2012. Against the service numbers 6424355139667 and 6424355139669 also there were considerable arrears pending since long time.
4. The complainant mentioned that the payments were done through cheques and the respondents also accepted the same but the only defect is that the payments were delayed by one or two months resulted in accumulation of arrears. The reason may be the delay in presentation of cheques by the respondents and the gap between the due date and the date of realization of the cheques which is to be ascertained through reconciliation.
5. The complainant mentioned the clause 8.3.1 of the GTCS, where in it was stipulated that

*In the event that a consumer defaults in payment of charges for electricity or any other sum other than charge for the supply of electricity*

*due from him, the Company may disconnect the supply in accordance with the 'Electricity Supply Code' Regulation issued by the Commission, read with Section 56 of the Act.*

6. In this case, there were arrears pending against the services of the complainant as on the date of disconnection and hence, it is felt that there is nothing wrong in disconnecting the complainants services by the respondents and there is no room for the said violation of GTCS as contended by the complainant.
7. Though the complainant mentioned that certain operations were carried out by the AE/ Operation/ Suryaraopeta on 25-01-2013 and 28-01-2013, but no action was reported for 25-01-2013 but it is noticed that the services were disconnected on 28-01-2013.
8. There is a dispute of cheque bouncing and the respondents mentioned that the cheques presented by the complainant for the months of 02/2008 and 11/2008 both were bounced and hence the same amounts were raised in demand and pending as arrears. But the consumer did not accept the above and questioned the respondents why the said bounced cheques were not returned to him.
9. However it is felt that the complainant should have paid the amounts in any of the authorized collection centers of the respondents in time and as per the bills from time to time instead of going for cheque payment.
10. As such no violation with regards to the GTCS or the Electricity Act 2003 are noticed as attributed by the complainant.

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

**ORDER**

The complainant is advised that he may reconcile the accounts in respect of the said three services under dispute in due consultation with the Assistant Accounts Officer/Electricity Revenue Office/Town-1/Vijayawada.

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, 5<sup>th</sup> floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this the 25<sup>th</sup> day of April 2013

Sd/- <b>Member (Legal)</b>	Sd/- <b>Member (C.A)</b>	Sd/- <b>Member (Accounts)</b>	Sd/- <b>Chairperson</b>
-------------------------------	-----------------------------	----------------------------------	----------------------------

**Forwarded by Orders**

**Secretary to the Forum**

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

Filename: Order.325  
Directory: E:\CGRF Cases\Cases 2012-13\Vijayawada\VJA 325  
Template: C:\Documents and Settings\Administrator\Application  
Data\Microsoft\Templates\Normal.dot  
Title: BEFORE THE FORUM FOR REDRESSAL OF  
CONSUMER GRIEVANCES OF SOUTHERN POWER DISTRIBUTION  
COMPANY OF A  
Subject:  
Author: apspdcl  
Keywords:  
Comments:  
Creation Date: 04/09/11 11:50:00 AM  
Change Number: 7,748  
Last Saved On: 25/04/13 1:59:00 PM  
Last Saved By: CGRF  
Total Editing Time: 3,903 Minutes  
Last Printed On: 27/11/13 11:56:00 AM  
As of Last Complete Printing  
Number of Pages: 6  
Number of Words: 1,200 (approx.)  
Number of Characters: 6,840 (approx.)