

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

**This the 28<sup>th</sup> day of March 2013**

**C.G.No:333/2012-13/Ongole Circle**

***Present***

***Sri K. Paul  
Sri A.Venugopal  
Sri T.Rajeswara Rao  
(Vacant)***

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

***Between***

Sri. U.Venkaiah  
Dondapadu  
Kandukuru  
Prakasam-Dist-523155

Petitioner

***And***

1. Assistant Accounts Officer/ERO/Kandukuru
2. Assistant Engineer/Operation/Rurals/Kandukuru
3. Divisional Engineer/Operation/Kandukuru

Respondents

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Sri. U.Venkaiah residents of Dondapadu, Kandukuru, Prakasam-Dist-523155 herein called the complainants, in his complaint dt:12-02-2013 filed in the Forum on dt: 12-02-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 have stated that

1. He is having one domestic service bearing SCNo: 168 at Dondapadu village of Kandukuru Mandal in Prakasam-Dist.
2. In the year 2006 the Vigilance staff from Ongole visited their premises above and changed its category to LT-II and booked a case.
3. Subsequently he received a notice for an amount of Rs.1,447/-.
4. But he never established any shop in his house above.
5. Requested for withdrawal of the said amount.

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

**The respondent-1 i.e. the Assistant Accounts Officer/ERO/Kandukuru in his written submission dt:12-03-2013, received in this office on dt:26-03-2013 stated that:**

1. The consumer of SCNo:168 of Dondapadu (distribution) in Kandukuru Rural section filed a complaint before Forum for redressal of consumer grievances of SPDCL of A.P.Ltd., Tirupati. In Vidyuth Adalath conducted on 12-12-2013 at ERO, Kandukuru (Ongole circle) for withdrawal of demand raised against malpractice case assessment amount of Rs.1,444/- as he never utilized domestic supply for commercial purpose (cool drink shop) as mentioned in malpractice case.
2. The ADE/Opn/Kandukuru issued a provisional assessment notice in respect of SC.No:168 of Dondapadu (distribution) in Kandukuru rurals section for utilizing domestic supply for commercial purpose i.e.(cool drink shop) for Rs.1,444/- (malpractice assessment amount Rs.1,294/- and supervision charges Rs.150/-) based an inspection report of I.Sreenivasulu, ADE/DPE-I/Ongole. The service was inspected on 25-07-2006 (at 11:45 hrs). As per the inspection report, the name of the consumer was Sri. Gundala. Srinvasulu Reddy, S/o Subbarami reddy of Dondapadu (village) Kandukuru Rurals section and the consumer himself presented at that time of inspection.
3. But as per the consumer master, service was released on 25-11-2006 and name of consumer Venkaiah.

4. From the above it could not be established that malpractice case correctly booked against SCNo:168 of Dondapadu (distribution) in the name of Venkaiah or not.

**Findings of the Forum:**

1. The grievance of the complainant is that a malpractice case was booked against his domestic service No:168 of Dondapadu village and an amount of Rs.1444/- was demanded through a notice, but he never established any shop in his house above and the case is false and requested for withdrawal of the assessed amount.
2. As per the records available the service number 168 of Dondapadu stands in the name of one Venkaiah the complainant in this case where as in the notice the consumer name was mentioned as Gundala Sreenivasula Reddy, S/o Subba Rami reddy which is quite contra.
3. The service was inspected by one I.Sreenivasulu the ADE/DPE-I/Ongole on 25-07-2006 at 11:45 Hrs and in the inspection notes the name of the consumer was written as Gundala Sreenivasula Reddy, but the service number was put as 168 and the malpractice noticed at the time of inspection was the consumer utilizing domestic supply for cool drink shop.
4. The amount of malpractice was included in the consumers bill in 07/2012 where as the case was booked in 07/2006 i.e. after a period of 6 years. Moreover the service category was not changed from I to II which was ought to be done if the said case was genuine.
5. The respondent-1 i.e. the AAO/ERO/Kandukuru also expressed that the malpractice case could not be established properly against the SCNo: 168 of the complainant.

6. As such it is felt that the inspecting officer mistook the premises and the service number and booked a wrong case against the complainant's service number :168 and hence it is to be set aside and the amount of assessment Rs.1,444/- included in the CC.bills of the consumer in the month of 07/2012 is also to be withdrawn from the consumer's account

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

**ORDER**

The respondents are directed that they

1. Shall withdraw the amount of Rs.1,444/- along with any surcharge levied their upon within 15 days from the date of this order.
2. Shall report compliance on the item-1 above of the order within 21 days from the date of this order.

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 the 28<sup>th</sup> day of March 2013.

Sd/-  
**Member (Legal)**

Sd/-  
**Member (Accounts)**

Sd/-  
**Chairperson**

**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.