

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

This the 30<sup>th</sup> day of June 2012

C.G.No: 08/2012-13/ Guntur 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 K.Mallikarjuna Prasad,  
Duggirala Village and Mandal,  
Guntur Dist.

Complainant

***And***

1. Assistant Accounts Officer/ERO/Tenali
2. Assistant Engineer/Operation/Duggirala
3. Assistant Divisional Engineer/Operation/Rural-1/Tenali
4. Divisional Engineer/DPE/Guntur,
5. Divisional Engineer/Operation/Tenali.

Respondents

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Sri. K.Mallikarjuna Prasad, Duggirala Village and Mandal, Guntur Dist.  
herein called the complainant, in his complaint dt: 11-4-2012 filed in the Forum on dt:  
11-4-2012 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 running one turmeric industry at DNo: 1-317 of Raipet of Duggirala village.
2. The AE/Opn/Tenali inspected the service and an additional load of 20HP was detected.

3. Later he removed one machine due to lack of business and the enforcement, Guntur inspected the service and detected 10HP additional load.
4. Requested to consider the 10HP additional load instead of the 20HP additional load of the first inspection.

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

**The respondent-1, i.e. the Assistant Accounts Officer/ERO/Tenali in his written submission dt:21-4-2012 and received in this office on dt:27-4-2012 stated that:**

1. The premises of the consumer was inspected by Sri P.Vijaya Bhaskar ADE/R-1/Tenali on 13-6-2011 and observed that the consumer was utilizing supply with a connected load of 71.0 HP which is the excess addl. Load of 26.0HP of actual contracted load 45.0HP.
2. A notice for development charges was served to the consumer by the ADE/O/R-1/Tenali on dt:14-6-2011 for regularizing addl. Load of the service.
3. As per the notice, the consumer has to pay development charges Rs. 39,000/-, Security Deposit Rs.13,000/-, Application Charges Rs.50/- and Supervision Charges Rs.150/-, totaling to Rs.52,200/- for regularization of additional load.

**The respondent-2, i.e. the Additional Assistant Engineer/Operation/Duggirala in his written submission dt:27-4-2012 and received in this office on dt:2-5-2012 stated that:**

1. The ADE/Opn/R-1/Tenali inspected the service number 3531, category-III along with Sri S.Gurubramham, line man/Operation/Duggirala on 13-6-2011 at 16: 40 hrs.

2. At the time of inspection the consumer connected a load of 71 HP and there by the consumer had exceeded the contracted load of 45HP.
3. The additional load of 26HP was booked and a copy of the inspection loads is enclosed.
4. The inspection report signed by Sri K.Mallikarjuna Prasad husband of the registered consumer.

**The respondent-5, i.e. the Divisional Engineer/Operation/Tenali in his written submission dt:24-4-2012 and received in this office on dt:30-4-2012 stated that:**

1. The SCNo: 3531 category-III, Manchikalapudi village, Duggirala mandal was inspected by ADE/Opn/R-1/Tenali on 13-6-2011 at 16:40 hrs.
2. At the time of inspection it was observed that the consumer has exceeded the CMD 26HP over and above the existing CMD of 45HP for the total connected load is 71HP.
3. A case was booked for 26HP of additional load and notice was served on the consumer for the development charges which was acknowledged by Sri K.Mallikarjuna Prasad, H/o Smt Vijayalakshmi.

**Findings of the Forum:**

1. The grievance of the complainant is about regularization of additional load duly allowing him to pay the amounts in accordance with the second inspection after removal of part of the additional loads detected earlier.
2. The complainant reported that his service was first inspected by ADE/Opn/Tenali and an additional load of 20HP was detected upon which he removed the part of the loads by which in the next inspection the additional load was only 10HP.

3. But the recorded evidence shows that the consumer exceeded the contracted load of 45 HP by connecting load of 71 HP as on 13-6-2011 and none of the respondents confirmed the second inspection said to have undertaken by the enforcement Guntur as laid in by the complainant.
4. As such it is construed that the said additional load of 26 HP is correct.
5. The above additional load is to be regularized by the consumer as the main motor itself is of 55 HP from which part of the load cannot be removed and is over and above the contracted load of 45 HP.
6. However, in accordance with the clause 12.3.3.1 ( i ) of GTCS modified on 7-3-2012, the consumer is at liberty to remove any additional load if not required and shall be allowed to pay for any part of the additional load over and above the contracted load if he prefers to continue with.

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

### **ORDER**

The complainant

1. Is advised to pay for the additional load if he requires and prefers to continue duly removing the loads not required within 15 days from the date of this order.
2. Is informed that at a later date during subsequent inspection, if any additional load that was already pointed out is found, penal provisions shall be invoked as per the rules in vogue.

The respondents are directed to accept the payment of the consumer towards additional load duly ensuring the quantum of additional load with which he prefers to continue..

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 30<sup>th</sup> day of June 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, 5<sup>th</sup> floor, Singarenibhavan, Redhills, Hyderabad-500004.  
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.