

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

On this, the 13th day of March 2014

In C.G.No: 174/ 2013-14/ Ongole Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Satish Kumar

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

Between

Sri. A.P.B.S.Nageswara Rao
C/o Avvaru Hand looms,
Polimera Road
Chirala Post & Mandal,
Prakasam-Dist-523157

Complainant

And

1. Assistant Accounts Officer/ERO/Chirala
2. Assistant Engineer/Operation/D-1/Chirala
3. Assistant Divisional Engineer/Operation/Town/Chirala
4. Divisional Engineer/Operation/Chirala
5. Superintending Engineer/Operation/Ongole

Respondents

* * *

Sri. A.P.B.S.Nageswara Rao, C/o Avvaru Hand Looms resident of Polimera Road, Chirala Post & Mandal, Prakasam-Dist-523155 herein called the complainant, in his complaint dt:31-12-2013 filed in the Forum on dt: 31-12-2013 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 a consumer utilizing supply for his shop with ScNo:608 in Polimera street of Chirala Town of Prakasam-Dist.
2. He had paid Rs.6000/- for additional load in the form of DD obtained from corporation bank on 07-08-2002.
3. But the said additional load was not regularized and included in the monthly bills though represented several times through letters.

4. It is requested that the said additional load for which he already paid amounts atleast now is included and displayed in the monthly bills.

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

The respondent-1 i.e. the Assistant Accounts Officer/ERO/Chirala in his written submissions dt: 01-02-2014, received in this Forum on dt:06-02-2014 stated that:

1. The consumer of ISC No:608 has applied for addl. Load up-dation. Actually the consumer produced duplicate receipt paid on 07/08/2002 vide DDNo:728983.
2. The ERO premises was shifted from rented building located in Town to own premises in the year 2006. At that time some of the records were disposed to scrap. Now on verification of old records, more than 8 years records are not available at ERO/Chirala. So we are unable to trace duplicate receipt payment particulars.
3. Hence it is requesting that the grievance of ISC.No:608 of C-Zone in D-1, Chirala section may be closed please.

The respondent-2 i.e. the Assistant Engineer/Operation/D-1/Chirala in his written submissions dt: 03-02-2014, received in this Forum on dt:17-02-2014 stated that:

1. The complainant's ScNo:608, C-Zone has applied for additional load up-dation and proof of payment is vide DDNo:728983/dt:07-08-2002.
2. On verification of old PCBs more than 8 years are not available in D-1 Chirala section office due to previously section office was shifted three times at different areas in Chirala Town.
3. Hence it is requesting to unable to trace PCB particulars for verifying proof of payment.

Findings of the Forum

1. The complainant claims that he is a non domestic consumer utilizing supply for his cloth shop with service number:608 at Chirala Town and he paid an amount of Rs.6000/- in the form of DDs on 07-08-2002, but the additional

load was not effected in the CC.bills though represented several times in the form of DDs. Requested to rectify the same and see that the load for which he paid is added and reflected in the coming bills.

2. The respondent-2 i.e. the AE/Opn/D-1/Chirala reported that he had verified the old PCBs for more than 8 years available in his section, but could not trace the PCB related to the complainants service for verifying the proof of payment as the office was shifted three times in three places.
3. The AAO/ERO/Chirala in his reply stated that the ERO premises was shifted from rented building to the town in the year 2006 and some records were disposed to scrap. On verification of old records for more than 8 years are not available at ERO, Chirala. Hence could not be traced the payment particulars and requested to close the grievance.
4. The complainant had produced copy of receipt for an amount of Rs.6000/- wherein it contained the DD No. written as 728983 dt:07-08-2002 and the receipt was signed by name K.Venkateswarlu designation not so clear and also the counter file of the payment particulars for Rs.6000/- for obtaining DD.
5. As such it is evident that the DD was acknowledged through receipt un numbered which indicates that the DD was taken over by the department representative K.Venkateswarlu and hence is to be honored.
6. In absence of any notice, inspection notes or such it is not possible to know the contracted load before the payment of Rs.6000/-.
7. As could be seen from the bill for October 2011 the contracted load of the service was 5KW, but in the latest bill the contracted load is shown as 0.99KW which appears to be a false and shall be corrected.

8. Since the earlier load itself was 5KW and as the consumer paid for 6KW additional load the total contracted load shall be 11KW where as it was shown as 0.99KW which is not correct and hence is to be re-examined.
9. The respondents though stated that the copies of payment particulars not available even in absence of such records due regard shall be given to the consumer produced receipt acknowledged the departmental person i.e. the section officer of D-1 section, Chirala.
10. As such the respondents shall rectify the data and correct the contracted load as 11KW instead of 0.99 KW.
11. It is also not out of point for discussion that the consumer also did not put proper efforts for getting the additional load incorporated in the bills and waited for about 12 years which is also lapse on the part of the complainant/ consumer.
12. However the licensee in the interest of the consumer's satisfaction shall raise the value of contracted load suitably to the 11KW and shall appear in the coming month CC.bill.

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

ORDER

The respondents are directed that they

1. shall effect the change in contracted load from 0.99KW now existing to 11KW with immediate effect and shall reflect the same in the coming month CC.bill.
2. Shall report compliance on the item-1 above of the order within further 7 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, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this, the 13th day of March 2014.

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 to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.