

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

On this the 28th day of June 2013

In C.G.No:44/ 2013-14/ Nellore 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

Smt.Mahanandi Ramanamma
W/o Subbarayudu
DNo:SF 182., Ravuru Village & Post,
Indukurupeta mandal
Nellore-Dist524314

Petitioner

And

1. Assistant Accounts Officer/ERO/Indukurupeta
2. Assistant Engineer/Operation/Town/Kothuru
3. Assistant Divisional Engineer/Operation/Indukurupeta
4. Divisional Engineer/Operation/Rural/Nellore
5. Senior Accounts Officer/Operation/Nellore
6. Superintending Engineer/Operation/Nellore

Respondents

* * *

Smt. Mahanandi Ramanamma, W/o Subbarayudu resident of DNo: SF 182., Ravuru Village & Post, Indukurupeta mandal, Nellore-Dist524314 herein called the complainant, in her complaint dt:08-05-2013 filed in the Forum on dt:08-05-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. She is cultivating fish in her one acre land at SF.No. 182 of Jagadevipeta village in Indukurpet mandal of Nellore district and the electrical service connection number for the above fish pond was 1875 for a load of 3 HP.

2. For the service above she had submitted all the relevant forms duly signed in and submitted at Kothuru sub-station on 22-07-2011 by paying an amount of Rs.2340/- for conversion of her fish pond service above into agricultural. service.
3. But she could not recognize the service number mentioned in the receipt as she is un aware of the contents.
4. The line man Jagadevipeta informed that her service is still under fish pond category only, but not changed to agricultural and asked to pay the arrears amount duly disconnecting the service.
5. She went to the office at Kothur and requested to reconnect her service duly showing the receipt, but in the receipt the service number was written as 1602 instead of 1875.
6. Requested to change her service into agricultural duly adjusting the amount already paid by her.

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

The respondent-1 Assistant Accounts Officer/ERO/Indukurupeta in his written submission dt:18-05-2013, received in this office on 24-05-2013 stated that:

1. The SCNo:1602/J.D.Peta was released on 01-04-2000 in the name of Smt. K.Ramanamma under category-III with connected load of 3 HP. The consumer having closing balance as on 06/11 is Rs. 1986/- and 07/11 demand of Rs.304/- total Rs. 2,290/- the same was paid in 07/11 and kept closing balance as nil for 07/2011 and applied for conversion from Fish Pond to Agriculture and the conversion was effected.
2. The petitioner's fish pond SC.No:1875/J.D.Peta was released on 01-01-2001 with the name of Smt.M. Ramanamma with connected load of 3 HP in category-III.

3. The consumer having closing balance as on 06/11 is Rs.939/- and 07/11 demand is Rs.291/- total Rs.1230/- which is not paid from 09/11 to till to day.
4. This service is under bill stop status, No further payment is made. The security deposit available Rs.1200/- was adjusted to closing balance in 03/13.
5. The consumer stated in her representation that she paid an amount of Rs.2,340/- to her service , but the same amount was credited to SC.No:1602 instead of S.C.No.1875/J.D.Peta.
6. As per office records, there is no necessity to pay Rs.2,290/- in 07/11 to the above consumer as closing balance was only 1230/- on that day.
7. No agreements LT application was received in this office for conversion of service from Fish Pond to agriculture.
8. Hence the above service is in same category i.e. category-III at present the service is in bill stop status.

The respondent-3 Assistant Divisional Engineer/Operation/Indukurupeta in his written submission dt:21-05-2013, received in this office on 24-05-2013 stated that:

1. The SCNo:1875/J.D.Peta was released on 01-01-2001 in the name of Smt.M. Ramanamma with connected load of 3HP in category-III. The consumer having closing balance of Rs. 939 as on 06/11 and 07/11 demand is Rs.291 total Rs.1230/- which is not paid from 09/11 to till to day. This service is under bill stop status. No further payment is made.
2. The security deposit available Rs.1,200/- was adjusted to closing balance in 03/13 . The consumer stated in his representation that he was paid an amount of Rs.2,340/- to her service, but the amount credited to SC.No:1602 instead of 1875/J.D.Peta.

3. As per office records, there is no necessity to pay Rs.2290/- in 07/11 to the above consumer since closing balance was only 1230 on that day. No agreement LT application was received in this office for conversion of service from Fish Pond to agriculture. Hence the above service is in same category i.e. category-III at present the service is in bill stop status.
4. Further the SCNo:1602/J.D.peta was released on 01-04-2000 in the name of Smt. K.Ramanamma under category-III with connected load of 3HP.
5. The consumer having closing balance of Rs.2290/- as on 07/11 the same was paid in 07/11 and kept closing balance as nil for 07/11 and applied conversion from Fish Pond to agriculture and the conversion was effected.

Findings of the Forum:

1. The grievance of the complainant is that she cleared all the arrears towards her fish pond service on 22-07-2011 by paying an amount of Rs.2,340/- for conversion of her fish ponds into agricultural service and submitted the required papers, but the same was not affected for the reason that the amount she paid was credited to another service number.1602 belongs to K. Ramanamma instead of 1875 her service in the name of M. Ramanamma. Requested to adjust the amount already paid by her to her service and affect the change of category into agriculture.
2. The respondents 1 and 3 reported that the said amount of Rs.2,340/- was credited to SCNo:1602 J.D.Peta which was released on 01-04-2000 in the name of Smt. K. Ramanamma under category-III for a load of 3HP where as the service number 1875 of the complainant is under bill stop condition due to non payment of CC.Charges.
3. As could be seen from the copy of receipt produced by the complainant, the said amount of Rs.2,340/- was paid against SCNo:1602 on 22-07-2011 against

PRNo:395866 and it is the responsibility of the consumer to cross check the receipt at the time of payment itself.

4. It appears that it is a mistake of the person accepting the amount that was made to K. Ramanamma instead of M. Ramanamma the complainant, but however since the receipt of the said amount is under possession of the complainant, it is clearly evident that the service number was wrongly put in the receipt and hence needs adjustment by the respondents in due consultation with Smt.K.Ramanamma to whom the un due advantage was given suffering the actual consumer.
5. The respondents shall have to summon both Smt.K.Ramanamma and Smt.M. Ramanamma and see that the amount is withdrawn from the account of the first party and credited to the later with the acceptance of both the parties
6. The agricultural services are in general released duly following the priority list fixed based on the date of application and the subsequent payment of deposits duly confined to the number of services approved by the government of Andhra Pradesh every year.
7. As such, simple conversion of the existing fish pond service to agricultural is not at all possible and the request of the complainant is fit case to be set aside.
8. On the other hand the complainant can apply afresh for agricultural service and shall wait for her turn in the priority list. Till such time she may continue utilizing the service under category-III (Fish Pond) duly paying the necessary charges as per the tariff inforce from time to time.
9. However the complainant has to clear all the dues as on date for her service number: 1875 of Jagadevipeta already under bill stop condition and then only she can claim for new agriculture service in the premises.

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

ORDER

The complainant is advised that

1. she may apply afresh for new service for agricultural purpose in the said premises and wait till her turn comes in the priority list of applicants seeking agricultural services in that mandal.
2. she had to clear all the dues as on the date of bill stop of the service to enable the respondents release agricultural service in the premises.

The respondents shall

1. accept the balance payment from the consumer towards SCNo:3531223001875 after adjustment of the mis-credited amount of Rs.2340 and dismantle the service if the consumer opts for.
2. Accept the application from the consumer for new agricultural service duly following the procedures and release the service at her turn.

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 the 28th day of June 2013.

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.