

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:57/ 2013-14/ Kadapa 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. Ravi Kumar
C/o Araveti Super Market
DNo:9/510., Mydakur Road,
Proddatur Post and Mandal
Kadapa-Dist-516360

Complainant

And

1. Assistant Accounts Officer/ERO/Proddatur
2. Assistant Engineer/Operation/East/Proddatur
2. Assistant Divisional Engineer/Operation/Town/Proddatur

Respondents

* * *

Sri. A. Ravi Kumar, C/o Araveti Super Market, DNo:9/510., Mydakur Road, Proddatur Post and Mandal, Kadapa-Dist-516360 herein called the complainant, in his complaint dt:10-05-2013 filed in the Forum on dt:10-05-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He is a consumer with SCNo:2223101006099 under LT category-II for his supermarket at Proddatur in Kadapa-Dist.
2. For the service above he received bills on high side with addition of capacitor surcharges from August 2012 to till the date of complaint continuously.
3. For such a small shop he is maintaining the bills are very huge for him and also expressed that there is some mistake in the accounting system and requested to look into the matter.

4. Requested to render justice by correcting the bills.

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

The respondent-1 Assistant Accounts Officer/ERO/Proddatur in his written submission dt: 22-05-2013, received in this office on 29-05-2013 stated that:

1. The item wise details in respect of CC.bills of SCNo:2223101006099 of east section Proddaturu from 08/2012 to 03/2013 as required is submitted for further necessary action please.

Findings of the Forum:

1. The grievance of the complainant is that for the service being utilized by him for his provisional shop, he received bills on high side for the months from 08/2012 to 03/2013, wherein certain amounts were added towards Capacitor Surcharge and requested to rectify the bills suspecting certain mistakes in accounting system.
2. The respondent-1 i.e. the AAO/ERO/Proddatur just simply submitted the account copy in respect of the service for the months from August 2012 to March 2013 wherein an amount around Rs.2000/- was included for all the months mentioned above under the head of capacitor surcharge.
3. The said period is covered by the tariff order for the financial year 2012-13 according to which the said service as it is having contracted load 5.26 KW, it comes under LT-II (B) category for which the fixed charges are Rs.15/- per KW per month and the energy charges are Rs.7/- per unit maximum. The monthly minimum charges are Rs.65/- per month for single phase and Rs.200/- per month for three phase.
4. Also for loads below 10 KW, the billing shall be based on KWh only.
5. Also there is provision for capacitor surcharge in case of LT consumers expecting domestic and not covered by KVAH billing, if during inspection no

capacitor is found or the capacitors already installed or found to be damaged or having defect or seized to function such consumers shall be liable to pay surcharge @ 25% of the monthly bill amount, as per the terms and conditions of the supply notified by the licensee.

6. But here in this case the respondents did not have conducted any inspection for the existence of capacitors or for the healthiness of such capacitors already installed. Had it was done so the consumer could have launched for erection of suitable capacitors and it is the duty of the respondents to create awareness in the consumer about the installation of capacitors and the consequences for not complying with.
7. The respondents are supposed to levy the said surcharge of 25% on the monthly bill amount only on ensuring the non-existence of suitable capacitors for the said service, but they have without giving any notice to the consumer levied capacitor surcharge straight away through a programme for a considerable period of 8 months which is against the tariff order.
8. As such it is felt by the Forum that the levy of capacitor surcharge for a provisions shop under category-II without giving any notice to the consumer insisting upon for erection of suitable capacitors is unjust as no capacitors are installed to commercial shops in general.
9. *There is no need to bill the service with adding capacitor surcharges and hence it needs revision to set aside the said capacitor surcharges and the service shall be billed only based on KWH units as recorded by the meter and the bills shall be revised accordingly and the payments already made in excess shall be adjusted to the future bills of the service.*

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

ORDER

The respondents are directed that they

1. shall revise the CC.bills in respect of the complainants service number: 2223101006099 duly deleting the capacitor surcharge component and the amount excess collected from the consumer shall be adjusted to the future bills of the service within 30 days from the date of this order.
2. shall inspect the services wherever levy of 25% capacitor surcharge applicable as per tariff order and specifically each consumer wise notices shall be issued for the same duly indicating the loads for which capacitors are to be installed with required rating, hereafter to comply with tariff conditions.
3. shall report compliance on the item-1 above within further 7 days.
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.