

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

**On this the 25<sup>th</sup> day of July 2013**

**In C.G.No: 67/ 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. T.Parasurami Reddy  
Vetapalem Village & Post,  
Vetapalem Mandal  
Prakasam-Dist-523214

Complainant

***And***

1. Junior Accounts Officer/ ERO/ Vetapalem
2. Assistant Engineer/ Operation/ Town/ Vetapalem
3. Assistant Divisional Engineer/ Operation/ Vetapalem
4. Assistant Engineer/ DPE-I/ Ongole

Respondents

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Sri. T. Parasurami Reddy, Vetapalem Village & Post, Vetapalem Mandal, Prakasam-Dist-523214, herein called the complainant, in his complaint dt: 27-05-2013 filed in the Forum on dt: 27-05-2013 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 SC.Nos: 9020 non domestic and 4034 for domestic purpose at Vetapalem Village and Mandal, Prakasam-Dist.
2. On 06-04-2013 the departmental AE has inspected his house and shop premises which are side by side and prepared an inspection notes took signatures from him and reports saying that it is a causal inspection.
3. He received provisional assessment order wherein it was stated that a malpractice case was booked against H.SC.No: 4034.

4. Though he was utilizing supply for his Ice cream shop from ScNo:9020 non domestic, the inspecting officer miss took the fact and assumed that the supply was being utilized from HSC No:4034 which is not correct.
5. Due to the reason that the two services are side by side the inspecting officer wrongly predicted that the supply is from domestic service.
6. Requested to examine the case and render justice.

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

**The respondent-1 i.e. the Junior Accounts Officer/ ERO/ Vetapalem in his written submissions dt: 10-06-2013, received in this office on 14-06-2013 stated that:**

1. The AAE,DPE was inspected the premises on 06-04-2013 at 9:00 AM. At the time of inspection, it is observed that the supply is released for category-I purpose where as the consumer utilizing the supply for Ice cream manufacturing & sale (i.e. ) commercial purpose. Hence un-authorised use of electricity case is booked. A copy of inspection report and provisional assessment order is herewith enclosed for ready reference please.
2. As per the provisional assessment notice, the category changed from I to II from the date of inspection and the malpractice charge i.e. Rs.28,515/- was included in the C.C.bill vide RJNo:17/5-13.

**The respondent-2 i.e. the Assistant Engineer/ Operation/ Town/ Vetapalem in his written submissions dt: 22-06-2013, received in this office on 24-06-2013 stated that:**

1. Two services are inspected on 22-06-2013 and the particulars are herewith furnished:

1) S.C.No:4034	2) S.C.No.9020
M.S.No:1433531	M.S.No:158862
Make:HPL	Make:HPL
Capacity:5-20A	Capacity:5-20A
Final Reading:9323	Final Reading:2791

2. On enquiry it is known that, previously consumer having the S.C.No:4034 category-I in his house and SCNo:9020 category-II in separate shop. In road widening work the shop was dismantled by the R&B department. At present the 2 Nos services are i.e. 4034 and 9020 are existing in the same premises.
3. Now the consumer utilizing the supply from SCNo:9020 category-II for both domestic purpose and non domestic purpose. The SCNo:4034 is under PNU status (Party not utilizing the supply).

**Findings of the Forum:**

1. The respondents reported that there are two number services existing in the premises one with SCNo:4034 category-I and the other one with SCNo:9020 under category-II existing in the same premises due to dismantlement of the shop by the R&B department during road widening works.
2. Now the consumer is utilizing supply from 9020 category-II both domestic and non domestic services while the SCNo:4034 is under PNU
3. ON 06-04-2013 the said services were inspected by the AAE/DPE at 09:00AM and at the time of inspection the consumer was utilizing supply from the category-I service for the Ice cream manufacturing and sales which is commercial.
4. The inspecting officer provisionally assessed the loss sustained by the licensee on account of the said misuse of power by committing malpractice as Rs.28,515/- and same was included in the CC.bill of the service through RJNo:17/5-13.
5. Contra to the above as could be seen from the account copy of the service NO:4034 domestic the service is in status '1' refers to normal condition and

the consumption was much on high side ranging from 300 to 1000 units during the months of 03/2012 till 03/2013 while the consumption on the commercial service No:9020 which is also under normal running condition was only to a maximum of 14 units in a month during a above period and the consumption from 03/2013 onwards was increased in this service which indicates that the consumer utilized power from the domestic service keeping the commercial service almost idle.

6. As such the action of the respondents in booking a malpractice case against the consumers service No:4034 is quite in order and there is no necessity of any sort of revision either in the CC.bills or in the assessment.
7. As could be seen from the account copy the category of the service No:4034 is not yet changed to LT-II though the inspection took place on 06-04-2013
8. The category of the service No:4034 has to be changed from LT-I to LT-II from the date of inspection i.e. 06-04-2013 duly dismantling the SCNo: 9020 with immediate effect since two services cannot exist in the same premises which again may lead for further similar malpractice.
9. Dismantle the service number 9020 with immediate effect duly settling the accounts or otherwise may shift it to some other location duly collecting the shifting charges and observing the norms like ownership documents, if the consumer prefers for
10. The consumer is liable to pay the assessed amount of Rs.28,515/- along with surcharge if any.

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

**ORDER**

The respondents are direct that they shall

1. change the category of the service number 4034 from LT-I to LT-II with effect from the date of inspection i.e. 06-04-2013.
2. dismantle the service number 9020 with immediate effect duly settling the accounts or otherwise my shift it to some other location duly collecting the shifting charges and observing the norms like ownership documents, if the consumer prefers for

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