

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

On this the 30th day of June, 2015

In C.G.No: 180/ 2014-15/Anantapur Circle

Present

Sri P.Venkateswara Prasad
Sri A.Sreenivasula Reddy
Sri T. Rajeswara Rao

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri M.Lakshmi Narayana
D.No:170/1
Sathysai Nagar
Narpala – Post Office
Narpala Mandal
Anantapur – Dist
515425

Complainant

AND

1.Assistant Accounts Officer/ERO/East/Anantapur Respondents
2.Assistant Engineer/Operation/Narpala
3.Assistant Divisional Engineer/Operation/Rural East/Anantapur
4.Assistant Divisional Engineer/CT-Meters/Anantapur
5.Assistant Divisional Engineer/HT-Meters/Anantapur
6.Divisional Engineer/Operation/Anantapur
7.Superintending Engineer/Operation/Anantapur

Sri M.Lakshmi Narayana is a resident of D.No:170/1,Sathyasai Nagar,Narpala-
Post Office,Narpala Mandal, Anantapur – Dist here in called the complainant, In
his complaint dt:24-10-2014 filed in the Forum on dt: 24-10-2014 under clause 5
(7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated
that:

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1. He is a resident of D.No:170/1,Sathyasai Nagar,Narpala-Post Office,Narpala Mandal, Anantapur – Dist.
2. He had Rangantha Oil Mill in Narpala with Sc.no:227006343 .He is paying bills regularly for M.F .0.5 since 23 months
3. On 24.08.2012 the CT PT set was fired .The MRT Officials are inspected and changed the CTPT set .
4. On 15.07.2014 the ADE/DPE/HT/Knl was inspected the service and it was found as M.F-1 for that he send a notice for Rs 735627/- for the period from 24.08.2012 to 12.07.2014 for revenue loss.
5. He is unable to pay the amount because the oil mill in losses.
6. So kindly withdraw the notice and cancel the bills.

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

The respondent-3 i.e. the Assistant Divisional Engineer /Sub-Division/Rurals/East/Anantapur in his written submission dt:01.11.2014, received in this office on dt:04.11.2014 stated that:

1. The ISC.No.6343, Cat.III,Narpala on the name of M/s.Sri Ranganatha Oil Mill, was inspected by Sri G.Ranga Swamy, ADE/DPE.HT/Kurnool with otherdepartmental staff of P.Nagaraju, AE/DPE.HT/Kurnool, C.Siddeswara , AE/O/Narpala on 15.07.2014 at 9.50 Hrs. in the presence of Sri .M.Rajesh, son of the said Oil Mill owner.
2. During the inspection they found that the failed 5/5A CTPT set replaced with 10/5A CTPT set by ADE/M&P/Anantapur on 24-8-12.Consequently the MF was changed from 0.5(Half) to 1.0(one) with KWH reading:190070

and KVAH Reading ;218867.And they are also observed that the billing is done with MF 0.5(Half0 instead of 01(one).

3. The Service was billed with MF 0.5 from 24.08.2014 to 12.07.2014 instead of 1.0,due to which the back billing was proposed by ADE/DPE/HT vide letter dated 18.07.2014.
4. The ADE/DPE.HT/Kurnool has issued back billing notice for Rs 7,35,627/- from 24.08.2012 to 12.07.2014 with MF-1, and requested to the ADE/R/E/ATP to issue I.A notice to the consumer duly explaining the reasons for short fall amount.
5. He issued I.A notice to the consumer for Rs 7,35,627/- duly requesting to pay the full amount within 15 days from the date of receipt of this notice.If not agreeable to the assessment , make a representation to the Superintending Engineer,Operation ,Anantapur within 15 Days. The Consumer acknowledgement date is 24.08.2014.The Xerox copy is herewith enclosed.
6. As per the dated acknowledgement an amount of Rs .7,35,627/- was included in CC bill through RJ in 9/14 vide RJ.No.6/9-14.by AAO/ERO/RE/ATP.
7. But the consumer was represented to SE/O/Anantapur for waival of assessment amount any payments. But there was no instructions received from the SE/O/Anantapur in this regard. The service was disconnected on 29.10.2014.

Further it is to submit that the inspection report of ADE/DPE.HT/KNL and assessment order of ADE/RE/ATP is herewith enclosed for verification.

The Assistant Divisional Engineer /Meters &Protection/ Anantapur in his written submission dt:03.11.2014 stated that:

1. 1'No Lt Cat-III service with connected load 74HP was released to M/s Ranganatha Oil Mill,Narpala on 15/03/2011.At the time of release of this service ,MF(i.e. multifying Factor)adopted is 0.5(Half) only. The service number assigned to this service is ISC.6345,Narpala.
2. On complaint of huge bill coming every month, this service was inspected on 30/07/2011 by the ADE/M&P/Anantapur to test the meter performance .But it was noticed that this service has been billing with MF=01(ONE) instead of 0.5(Half) even though it was released with MF=0.5(Half).The same was rectified by the accounts wing in 08/2011.
3. On 24.08.2012 this service was inspected by the AE/M&P-I/Anantapur on complaint of CTPT set failure .He replaced the failed 5/5A CTPT set with CTPT set, accordingly MF was also changed from 0.5(Half) to 01(One) with effect from 24.08.2012 which was also clearly mentioned in the HT test report of this service. The true copy of this test report was also handed over to the AE/Operation/Narpala on the same day, so that he was able to submit the monthly change return to AAO/ERO/Rural East/Anantapur with in month to effect the MF change o this service immediately in the next bill.
4. The ADE/M&P/Anantapur submits all the changes i.e CTPT change /Meter change /MF change done every month to the Divisional Engineer/M&P/Anantapur and to the Senior Accounts Officer/Anantapur at the end of every month which is a regular practice. The above said service ISC.6343, Narpala CTPT replacement details and MF change

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details was also submitted in the monthly returns of M&P sub division, Anantapur for the month 08/2012 which was submitted to the DE/M&P/Anantapur and to the Senior Accounts Officer/Anantapur vide Lr.No.ADE/M&P/Anantapur/F.No./D.NO.472/12,DT.03.09.2012. We handover the copy of monthly returns at SAO office to the JAO/LT Circle office/Anantapur as he is the responsible person to look after and ensure all the changes effectively done in the billing.

5. He submit that all the necessary steps was taken by the ADE/M&P/Anantapur in order to effect the CTPT Change of M/s Ranganatha Oil mill, Narpala by giving the copy of HT test report to the concerned AE/Operation/Narpala on the same day on 24/08/2012 i.e on the day of CTPT set replacement done due to which MF change occurred from 0.5(Half) to 01(one) and also submitting the details of CTPT change and MF change of M/s Ranganatha Oil Mill, Narpala in the monthly returns of M&P Sub division, Anantapur for the month of 08/2012 submitted to the Divisional Engineer/M&P/Anantapur and to the Senior Accounts Officer/Anantapur.

The respondent- 1 i.e. the Assistant Accounts Officer /Sub-ERO/Rurals/East/Anantapur in his written submission dt:01.11.2014, received in this office on dt:05.11.2014 stated that:

1. It is submit that ISC.No.6343,Cat.III,Narpala on the name of M/s Sri Ranganatha Oil Mill, was inspected by Sri .G.Ranga Swamy,ADE/DPE-HT/Kurnool with other departmental staff of P.Nagaraju,ADE/DPE.HT/Kurnoo;, C.Siddeswara ,AE/O/Narpala on

15.07.2014 at 9.50 hrs .in the presence of Sri .M.Rajesh ,son of the said oil mill owner.

2. During the inspection they found that the failed 5/5A CTPT set was replaced with 10/5A CTPT set by ADE/M&P/Anantapur on 24.08.2012. Consequently the MF was changed from 0.5(half) to 1.0(one) with KWH reading :1900070 and KVAH Reading:218867.And they are also observed that the billing is done with MF 0.5 (half) instead of 01(one).
3. Hence the back billing is proposed for loss of Revenue due to billing with wrong MF from 24.08.2012 to 12.07.2014
4. According to that in Lr dated 18.07.2014 ,The ADE/DEP.HT/Kurnool has issued back billing notice for Rs.7,35,627/- from 24.08.2012 to 12.07.2014 with MF-1, and requested to the ADE to issue I.A notice to the consumer duly explaining the reasons for short fall amount.
5. In the Letter 23.7.2014 , ADE/R/E/Anantapur has issued I.A notice to the consumer for Rs 7,35,627/- duly requesting to pay the full amount within 15 days from the date of receipt of this notice. If not agreeable to the assessment , make a representation to the Superintending Engineer,Operation ,Anantapur within 15 Days.The Consumer acknowledgement date is 24.08.2014.The Xerox copy is herewith enclosed.
6. As per the dated acknowledgement an amount of Rs .7,35,627/- was included in CC bill through RJ in 9/14 vide RJ.No.6/9-14.by AAO/ERO/RE/ATP.
7. But the consumer was represented to SE/O/Anantapur for waival of assessment amount any payments. But there was no instruction received

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from the SE/O/Anantapur in this regard. Now the service is under disconnection.

8. Further it is to submit that the inspection report of ADE/DPE/HT/KNL and assessment order of ADE/R/E/Anantapur and payment particulars of said service is here with enclosed for your verification.

Findings of the Forum:

On perusal of the entire files it is observed as follows:

1. The service in question was inspected by the AE/M&P-I/ATP on 24.08.2012 on complaint of CTPT set failure. The AE has replaced with filed CTPT set 5/5A with 10/5A set and hence the overall multiplying factor has been changed from 0.5 to 1.0 w.e.f. 24.08.2012. Though the MF was changed from 0.5 to 1.0 it was continuously billed with MF of 0.5 only till 15.07.2014.
2. During the course of inspection of the said service on 15.07.2014 the ADE/DPE/HT Kurnool along with his staff have observed that the billing is done with 0.5 MF instead of 1.0 and accordingly a back billing notice for Rs 7,35,627/- was issued by the ADE/RE/Anantapur on 23.07.2014 and the same was acknowledged by the complainant on 24.08.2014.
3. The Complainant has preferred an appeal to the SE/O/ATP on 05.09.2014 and it seems that it is not yet finalized by the SE/O/ATP even after 9 months.
4. In accordance with the provisions contained in clause 7.5.1.4.4 of GTCS, the assessment shall be made for the entire period during which status defective meter can be clearly established. In the instant case it has been clearly established that the MF has been erroneously taken as 0.5 instead of 1.0 right from the date of change of CTPT set i.e. 24.08.2012. Hence the back billing notice issued is in conformity with the GTCS provisions and requires no revision.

5. The Respondents have failed to conduct the periodical testing of all CT meters six monthly once and hence the back billing for 2 years. However the complainant has not been put to any direct loss but postponement of his payment towards the Electricity charges. It cannot be ruled out that it is a burden some to the Complainant to pay such huge shortfall of 24 months at Lumpsum. Hence it is felt it will be appropriate and reasonable to allow the Complainant to pay the back billing amount in installments.

ORDER

The Respondents are directed to sanction 12 monthly installments to complainant so as to enable him to clear the back billing amount. The back billing assessment requires no revision since it is in consonance with the provisions of GTCS.

Accordingly the case is disposed off.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4th Floor, Ashoka Chambers, Opposite to MLA Quarters ,Adarsh Nagar,Hyderabad-500063**, within 30 days from the date of receipt of this order.

Signed on this, the 30th day of June 2015.

Sd/-
Member(Legal)

Sd/-
Member(Accounts)

Sd/-
Chairperson

True Copy

Chairperson

To
The Complainant
The Respondents
Copy to the General Manager/CSC/Corporate Office/ Tirupati for pursuance in this matter.

