

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:222/ 2014-15/Guntur Circle

Present

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

Chairperson
Member (Accounts)
Member (Legal)

Between

Smt T.Vijaya Lakshmi
C/o Balaji
Vedullapalli
Stuartpuram- Post Office
Bapatla
Guntur-Dist

Complainant

And

- | | |
|--|-------------|
| 1. Assistant Engineer/Bapatla Rurals | Respondents |
| 2. Assistant Divisional Engineer/Bapatla | |
| 3. Divisional Engineer/DPE/Guntur | |
| 4. Chief General Manager/Operation/APSPDCL/TPT | |

Smt T.Vijaya Lakshmi C/o Balaji is a resident of Vedullapalli Village, Stuartpuram – Post Office ,Bapatla , Guntur - Dist, herein called the complainant, in her complaint dt:05.03.2015 filed in the Forum on dt:05.03.2015 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 is a resident of Vedullapalli Village, Stuartpuram – Post Office ,Bapatla , Guntur – Dist.

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2. She has started a mineral plant in her village in 2011 and she contacted the Assistant Engineer of concerned section for power supply, and he visited the plant and given sanction under Category -2 instead of Category -3 by allotting Service No:872 receiving Security Deposit.
3. In according to the direction of Chairman/CGRF/APSPDCL/TPT she visited the Mohammad Khan Enterprises Mineral Water Plant in Guntur with Sc.No:114410 which was under category -II and later on changed to cat III.
4. The DE/DPE/Guntur is also given a letter that the water plants can be under category -3 cited in Lr.No:DE/DPE/Guntur/F.No:15/D.No:430/12, Dt:07.12.2012.
5. So , Kindly change the category from II to III of Sc.No:872.

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

The respondent-3 i.e the Divisional Engineer /DPE/Guntur in his written submission dt:11.03.2015, received in this office on dt:15.03.2015 stated that:

1. It is clear that the Mineral water plant services can be classified under Cat VI or Cat.II/Cat.II.
2. The Cat.VI can be given to those services who opted for more contracted load 6 KW and should run the plant in No profit and No loss basis and should be audited every year and should be a charitable trust or community based societies only.
3. The Cat.II/Cat.III can be released for those services who opted for more contracted load 6 KW should be billed under this Cat III can be given at source only but cannot include retail shop.
4. But in case of CG.No.72/2010-11/Guntur as this is involving a process water hence the industrial category tariff has been given.Cat.II can be given a retail shopping i.e production and sales both are included.

5. In view of several mineral plants are come up and applying for Cat.VI has taken place a huge loss of revenue .Hence it is proposed to give under.III for the contracted loads above 6 KW and issued the letter No.DE/DPE/GNT/F.15/D.No.430.Dt.07.12.2012.

The respondent-2 i.e Assistant Divisional Engineer /Operation/Bapatla in his written submission dt:20.06.2015, received in this office on dt:24.06.2015 stated that:

1. The Smt Tata Vijaya lakshmi,W/o Balaji R/o ,Vedullapalli (V),Bapatla (M) Guntur(Dt) has applied for 4 KW non domestic load at Customer Service Centre,Bapatla, Accordingly the service was released under Cat –II on 09.04.2012.Now Smt Tata Vijayalakshmi SC No 872,Vedullapalli(V) has represented to change from II to III ,as she is running mineral water plant.
2. Further it is to submit that for releasing of any service under industrial category (or) for change of category from II to III(Industrial Purpose), the applicant should be got registered at District industries Centre (DIC) and must submit acknowledgement of Part – A registration (DIC) under small scale industries.
3. In view of the above , it is to submit that the request of Smt .Tata Vijaya Lakshmi for change of category from II to III will be considered after getting registered at DIC ,Guntur and producing of Part –A registration only.

Findings of the Forum:

1. Smt Tata Vijayalakshmi W/o Balaji ,Vedullapalli,Stuartpuram, Bapatla in her petition filed before the Forum and requested to change the category of their mineral water plant from category II to Category III as was done in respect of Sc.No 114410.
2. The Respondents in their submission have stated that for releasing any service under Industrial category or for change of category from II to III, the applicant should get his service register under small scale industries and accordingly

requested the complainant to produce DIC part A Registration and submit at CSC Bapatla for taking further action .

3. In spite of Repeated reminders from the Forum , the Respondent No 4 being Executive Head of the wing has not responded so far. It seems that the Respondent No 4 has no care on the Statutory organizations and Regulations made by the Hon'ble APERC from time to time. The Forum strongly feels that the Licensee shall issue necessary directions to all the Respondents to respond to the notice of the Forum promptly at least in future and avoid hardship to genuine complainants.

ORDER

The complainant is advised to obtain DIC –Part A registration and submit category change application at CSC as per the requirement of the Respondents for effecting category change. The Respondents are directed to change the category of the Complainant's service from II to III immediately after receipt of necessary documents. The fact of category change may be compliance reported within 7 days from the receipt of full information from the complainant.

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.