

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

On this the 22nd day of June , 2015

In C.G.No:194/ 2014-15/Kadapa Circle

Present

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

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri V.Satyanarayana
D.No:13/341
Vedurla Bazar
Proddatur- Post Office
Kadapa - Dist

Complainant

And

1.Assistant Accounts Officer/ERO/Proddatur
2.Assistant Engineer/Operation/Proddatur East
3.Assistant Divisional Engineer/Operation/Proddatur Town
4.Divisional Engineer/Operation/Proddatur
5.Seniour Accounts Officer/Operation/Kadapa

Respondents

Sri.V.Satyanarayana is a resident of D.No:13/341 ,Vedurla Bazar, Proddatur – Post Office ,Kadapa –Dist, herein called the complainant, in his complaint dt:12.02.2015 filed in the Forum on dt:12.02.2015 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 resident of D.No:13/341 ,Vedurla Bazar, Proddatur – Post Office ,Kadapa –Dist.

C.G.No:194/2014-15/Kadapa Circle

2. For service no :18370 East ,single phase the Vidyuth Ombudsman ,A.P & Telengana ,appeal no.25 of 2014,dt 27/9/2014 given orders and APSPDCL, Proddatur given a letter ,Lr.No:1303/14 dt:16/10/2014 that an amount of Rs 10245/- will be adjusted in future bills to the consumer.
3. He wants multiple interest @ 24% on Rs 10245/- for past days and present days.

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

The respondent-3 The Assistant Divisional Engineer /Operation/APSPDCL/Proddatur in his written submission dt:23.02.2015, received in this office on dt:02.03.2015 stated that:

1. The Hon'ble Vidyuth Ombudsman has issued orders vide appeal dt.29.09.2014 that the respondents shall waive off charges for 1133 units to the consumer and also to pass a Journal entry to that effect and also credit an amount of Rs .1235.00.
2. In this connection , it is to submit that , an amount of Rs .10,245.00 was adjusted by the Assistant Accounts Officer/ERO/Proddatur and the same was intimated to the consumer vide his letter No .1303/14,dt .16.10.2014.
3. Further, it is submit that ,it is seen from the accounts copy that , no surcharge was levied/collected from the consumer against the said service. The request of the consumer is not reasonable.

The respondent-1 The Assistant Accounts Officer /ERO/APSPDCL/Proddatur in his written submission dt:20.02.2015, received in this office on dt: 2.03.2015 stated that:

1. The Vidyuth Ombudsman has ordered that the respondents shall waive of charges for 1133 units vide Appeal No.25 of 2014 against SC No.18370 of East Section/Slab/Proddatur.

2. As per the orders an amount of Rs 10245.00 was withdrawn for 1140 units by billing the KWH units instead of KVAH units (Calculation Statement enclosed) and the same has been intimated to the consumer vide Lr.No.AAO/ERO/PDTR/JAO-II/BS/D.No.1303/14,Dt.16.10.2014.
3. In this connection it is submit that the consumer has approached to the CGRF to pay in the interest on the withdrawal amount of Rs 10245.00 which is injustice. Further it is ti submit that there is no surcharge was levied from 3/2012 to 3/2013 (Account Copy enclosed).
4. Hence it is submitted that the claim of the consumer of SC No.18370 of East Section, Proddatur is not justice and not genuine.

Findings of the Forum:

1. Sri V.Sathyanarayana ,Vedurla Bazaar of Proddatur has filed a petition before the Forum and requested to arrange interest @24% on the amount of Rs 10,245/- which was withdrawn in accordance with the orders of the Ombudsman vide appeal .No.25 of 2014.
2. As could be seen from the records including submissions made by the Respondents that:-
 - a. An amount of Rs 10245/- has been withdrawn by the Respondents in accordance with para 8 of the Ombudsman orders wide appeal No.25 of 2014.
 - b. As per the provisions contained in clause no 4.4 of Regulation No.5/2004 ,in case the consumers do not pay the bills by the due dates mentioned in the bills additional charges for delayed payment of bills shall apply as per the tariff orders issued from time to time. As per the tariff orders in force delayed payment surcharge at the rate of 5 paise/100 Rs per day is being calculated from the due date mentioned on the bill, but not 24% as stated by the complainant.

c. The Respondents have complied the orders of the Ombudsman in totality and there is no mention about the allowing of interest on the excess amount paid by the complainant on each and every month. But clause no.4.7.3 of Regulation No 5/2004 provides that if the consumer has paid any excess amount it shall be refunded by way of adjustment in the subsequent bill and that the Licensee shall pay to the consumer interest charges at 24% per annum on the excess amount outstanding on account of such wrong billing. Hence it is felt that the demand of the complainant is just and reasonable to claim the interest @ 24% Per annum on the excess amount paid by him till the revision of bill takes place. Hence the following order.

ORDER

The Respondents are directed to allow/refund the Simple interest @ 24% Per annum on the excess amount of Rs 10245/-, calculated on the monthly excess amount paid by the complainant till the revision of bill takes place and compliance reported within 10dyas.

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 22nd 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.

