

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

On this the 5th day of June, 2015

In C.G.No: 168/ 2014-15/Kurnool Circle

Present

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

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri Munagala Rosireddy
C/o M.Eswar Reddy (late)
D.No:1-89
Yalluru village
Yalluru – Post Office
Gosupadu Mandal
Kurnool-- Dist

Complainant

AND

- 1.Assistant Accounts officer/ERO/Allagadda
- 2.Assistant Engineer/Operation/Gosupadu
- 3.Assistant Divisional Engineer/Operation/Allagadda
- 4.Divisional Engineer/Assessments/Hyderabad
- 5.Superintending Engineer/Assessments/Hyderabad
- 6.Divisional Engineer/Operation/Nandyal

Respondent

Sri Munagala RosiReddy C/o M.Eswar Reddy D.No:1-89 ,Yalluru Village,Yalluru – Post Office ,Gosupadu Mandal,Kurnool – Dist , herein called the complainant, In his complaint dt:08.10.2014 filed in the Forum on dt: 08.10.2014 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that:

C.G.No:168/2014-15/Kurnool Circle

1. He is resident of D.No:1-89 ,Yalluru Village,Yalluru – Post Office ,Gosupadu Mandal, Kurnool – Dist .
2. He had a theatre in his village with Sc.No:588 on his name and he let the theatre for rent to his brother for four years from 1.1.2000 to 31.12.2004 i.e., for four years.
3. The vigilance officials inspected the theatre on 7.6.2002 and given a notice to pay an amount of Rs.3,88,398/- and 2nd time inspected and given a notice to pay an amount of Rs.82,682/- on 28.08.2003 and 3rd time inspected on Rs 3,22,757/- on 08.01.2004 .
4. His brother Sri.M.Suresh Reddy sold his property and paid two bills completely.
5. And for the 3rd bill he has requested the D.E to reduce the Assessment The D.E reduced the bill for Rs 2,44,094/-
6. And again requested the S.E for reduction of bill he reduced to Rs 1,64,400-00,but not given final copy till today.
7. He went to SE/Assessment/Hyderabad and he enquired about the 3rd bill .It was seen in the Computer System that the bill was reduced.
8. His brother paid two bills completely and unable to pay third bill and he committed suicide and died on 08.10.2006.
9. And my another brother's son Sri M.Gopinath Reddy has died on 28.08.2005.
10. Finally reduce the amount of Rs 1,64,400/- and he will pay in installments.
11. So kindly do justice.

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

The respondent-I i.e. the Assistant Accounts Officer/ERO/Allagadda in his written submission dt:14.10.2014, received in this office on dt:16.10.2014 stated that:

1. A pilferage of energy case was booked to the service bearing No.588,LT Cat –II of Sri.M.Rosi Reddy, Umamaheswara Picture Palace,Yalluru of |gosupadu setion under letter dated 17.01.2014 and amount assessed Rs.2,44,094-00(Rupees Two lakhs forty four thousand and ninety four only).
2. The copy of assessment order is herewith submitted.In this connection it is submitted that the said consumer has failed to pay the amount hence the service disconnected and bill stopped long back duly adjusting the C.D. amount against the outstanding C.C. arrears in respect of the said service.Further it is to submit that previously 2 No.s pilferage cases are also booked against the service during 2002 and 2003 respectively and the consumer has paid the assessment amounts in total as stated by the consumer in his complaint.
3. The final assessment order against the letter dated 17.01.2014 by reducing the assessment amount (as stated by the consumer) is not received in this office.
4. Hence the consumer has to be paid an amount of Rs 2,44,094.00 +SV.150-00+RC 50-00 as per provisional assessment order and outstanding C.C.arrears of Rs .1992-00 as on date of bill stopped i.e during 03/2010.
5. Therefore it is submitted that no final assessment order against the letter dated 17.01.2014 against the said service is not received till to date.
6. Hence the assessment amount as stated above is outstanding to be paid against the said service please.

The respondent-3 i.e. the Assistant Divisional Engineer/Operation/Allagadda in his written submission dt:Nil, received in this office on dt:20.10.2014 stated that:

1. A pilferage of energy case was booked to the service bearing No.588,LT Cat -II of Sri.M.Rosi Reddy, Umamaheswara Picture Palace,Yalluru of |gosupadu setion under letter dated 17.01.2014 and amount assessed Rs.2,44,094-00(Rupees Two lakhs forty four thousand and ninety four only).
2. The copy of assessment order is herewith submitted.In this connection it is submitted that the said consumer has failed to pay the amount hence the service disconnected and bill stopped long back duly adjusting the C.D. amount against the outstanding C.C. arrears in respect of the said service.Further it is to submit that previously 2 No.s pilferage cases are also booked against the service during 2002 and 2003 respectively and the consumer has paid the assessment amounts in total as stated by the consumer in his complaint.
3. The final assessment order against the letter dated 17.01.2014 by reducing the assessment amount (as stated by the consumer) is not received in this office.
4. Hence the consumer has to be paid an amount of Rs 2,44,094.00 +SV.150-00+RC 50-00 as per provisional assessment order and outstanding C.C.arrears of Rs .1992-00 as on date of bill stopped i.e during 03/2010.
5. Further it is submitted that as per the Theft DC”list the section officer persured other live services in the name of the said consumer hence the complaint.

6. Therefore it is submitted that no Final Assessment order against the Provisional Assessment Order referred letter dated 17.01.2014 against the said service is not received till to date.Hence the assessment amount as stated above is outstanding to be paid by the consumer against the said service please.

FurtherThe respondent-I i.e. the Assistant Accounts Officer/ERO/Allagadda in his written submission dt:1.04.2015, received in this office on dt:04.04.2015 stated that:

1. The Final Assessment Orders in respect of SC.No.588,Cat-II,Yalluru (V),Gospadu Section of Sri M.Rosi Reddy,C/o Umamaheswara Picture Palace,Yalluru received and communicated to the same to the consumer through Additional Assistant Engineer/Operation ,Gospadu with a request to pursue and collect the Final Assessments amount from the consumer immediately.
2. The realisation particulars of Final Assessment amount will be submitted the Hon'ble CGRF soon on receipt of the same.

Further The respondent-I i.e. the Assistant Accounts Officer/ERO/Allagadda in his written submission dt:13.04.2015, received in this office on dt:20.04.2015 stated that:

1. The consumer of SC.No.588,Cat-II,Yalluru (V),Gospadu Section of Sri M.Rosi Reddy,C/o Umamaheswara Picture Palace,Yalluru vide case no 168/2014-15 file of Hon'ble ,CGRF,APSPDCL,Tirupati has paid Final Assessment amount in full on 13.04.2015 as per Final Assessment Order dated 18.12.2004 communicated by DE/Assessment vide letter dated

30.03.2015 above.The Final Assesment Amount payment particulars are herewith furnished for perusal please.

2. Sc.No.588 ,Yalluru (Bill Stopped service) Final Assessment Amount paid Rs 42710/-+150/- =42860/- vide PR.No 012619 dated 13.04.2015 in BCRC.No.463380 dated 13.04.2015(Xerox copy of the receipt enclosed).
3. Therefore it is requested that the said case may please be treated as closed since the respected consumer has paid the Final Assessment in full.

Findings of the Forum:

1. The ADE/DPE I/KNL during his inspection has booked a pilferage case against Sc.No:588 LT Category II standing in the name of the Complainant on 08.01.2004.
2. The DE/Assessment II/Hyderabad has issued Final Assessment orders for Rs 42,710/- vide his order No:DE/AII/Hyd/DAT/15416/D.No 19254/dated 18.12.2004.
3. During to non-receipt of Final Assessment orders by the Respondents, they have not withdrawn the excess demand raised. Soon on perusal of the same by the Forum, the DE/AII/Hyd has sent the copy of the Final Assessment Orders to the Respondents on 30.03.2015 and the Respondents collected the Final Assessment amount of Rs 42710/- +SVC Rs 150/- on 13.04.2015 from the Complainant .Thus the Grievance of the Complainant has been redressed in full.

ORDER

Since the grievance of the Complainant has been redressed fully and he himself has expressed his happiness in redressal of the problem, the case is disposed off accordingly.

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 5th 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.