

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

**On this the 30<sup>th</sup> day of June , 2015**

**In C.G.No:189/ 2014-15/Kurnool Circle**

***Present***

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

***Chairperson***  
***Member (Accounts)***  
***Member (Legal)***

***Between***

Sri T.G.Bharath  
C/o Sree Rayalaseema Hi Strength Hypo Ltd  
D.No:216 KJS Complex  
BhagyaNagar  
Kurnool – Dist  
518004

Complainant

***And***

1.Assistant Accounts Officer /ERO/Kurnool  
2.Assistant Engineer/Operation/Kurnool  
3.Chief General Manager/Finance/Tirupati  
4.Divisional Engineer/Operation/Kurnool  
5.Superintending Engineer/Operation/Kurnool

Respondents

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Sri.T.G.Bharath is Chairman & Managing Director of Sree Rayalaseema Hi Strength Hypo Ltd of D.No:216 ,KJS Complex, Bhagya Nagar,Kurnool herein called the complainant, in his complaint dt:03-11-2014 filed in the Forum on dt:03-11-2014 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 has stated that:

1. They Sree Rayalaseema Hi- Strength Hypo Ltd has taken 11KV temporary supply from 29.06.2012.The same was disconnected and terminated after the expiry of the approval period on 31.03.2014.At the time of release of supply they have paid the following amounts towards Advance Consumption Deposit.

S.No	DD.No	Amount	Purpose	Infavour of
1.	107664 Dt:14.06.2014	25,92,000	Advance CC Charges	DE,Operation, Kurnool
2.	107663 Dt:14.06.2014	47,480	Incidental Charges	DE,Operation, Kurnool
3.	107665 Dt:14.06.2014	72,612	Service line charges	DE,Operation, Kurnool
4.	036059 Dt:25.09.2014	10,36,800	Advance CC charges enhancement of CMD from 1000 KVA TO 1400 KVA	DE,Operation, Kurnool

2. After termination of temporary supply, they requested SE/O/KNL,DE/O/KNL AND SAO/Kurnool to refund the balance amount from the Advance consumption Deposit vide their representation letters dated 9.05.2014,21.05.2014 & 21.06.2014.
3. They have personally represented since last five months.Bit in vein.So far neither they received the balance amount nor received any communication from APSPDCL end.

4. Hence, they request Forum to kindly look into this matter and advice the concern to refund the balance amount immediately.
5. The Forum action in this regard is highly solicited.

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

**The respondent-5 , The Superintending Engineer/Operation/Kurnool in his written submission dt:11.03.2015, received in this office on dt:18.03.2015 stated that:**

1. The HT consumer KNLt003 (Temporary service) M/S Sree Rayalaseema Hi strength Hypo Ltd, Gondiparla(V),Kurnool (Dist) was filed the complainant in the CGRF,APSPDCL,Tirupati, vide complaint No.C.G.No:189/2014-15/Kurnool Circle,Dt:28.10.2014, on the subject of refund of balance consumption Deposit of KNLt003, the reply to the above complaint is as follows.
2. The petitioner KNLt003 (Temporary service) M/S Sree Rayalaseema Hi Strength Hypo Ltd, Gondiparala(V), Kurnool(Dist) representated to this office on 09.05.2014 & 21.06.2014 on the subject matter of adjustment and refunded of the balance consumption deposit of HT service KNLt003 (Temporary service) M/S Sree Rayalaseema Hi Strength Hypo Ltd, Gondiparla (V), Kurnool (Dist) and this office responded quickly and a letter was addressed to the Divisional Electrical Engineer/Operation/KurnoolvideMemo.No.SE/O/KNL/SAO/JAO/HT.Rev/D.No.230/14 , dt:10.06.2014 and directed the Divisional Engineer, Operation, Kurnool to transfer the consumption deposit to the extent of Rs.20,08,655/- from the available security deposit of KNLt003/S Sree Rayalaseema Hi strength Hypo Ltd, which was lying with the Divisional Engineer/Operation/Kurnool, in response to the above Memo Divisional Engineer/Operation/Kurnool wrote to this office vide LR.no.DEE/O/KNL/JAO/CAS/D.no.2596/14,Dt,12.11.2014 stating that due to state bifurcation of Andhra Pradesh into Telangana and Andhra Pradesh , the Kurnool and Ananthapur circles are separated from APCPDCL and merged into APSPDCL with effect from 02.06.2014, due to state bifurcation the account's balances are not upgraded in the SAP software, soon after upgrade of the balances in SAP software the same will be effected.

3. It is to submit that this office wrote a letter to the Chief General Manager (Finance),APSPDCL ,Corporate Office,Tirupati duly requesting to upload the necessary data that is required in the SAP software to resolve the problem vide this office Lr.No.SE/O/KNL/SAO/HT.Rev/D.No.514/14,Dt:18.12.14, in response to this office letter the Corporate Office has uploaded the data and the Security Deposit available with the Divisional Electrical Engineer,Operation,Kurnool has transferred to this office and this office adjusted the security deposit to the arrears of the KNLT003 and the balance security deposit of KNLT003 is adjusted vide this office RJ.No.06/02-15 to the KNL230,KNL355 and KNL583 as per the request letter submitted by the petitioner company as these HT services are the part of he M/S Sree Rayalaseema Hi strength Hypo LTd group the details of the security deposit adjustment is as follows:

<b>Security Deposit adjustment details of KNLT003</b>			
S.No	Particulars	Amount in Rs	Amount in Rs
1	TCA received from division office Kurnool		33,57,399-00
2	Security deposit adjusted towards C.C.Arrears of KNLT003		22,73,798-00
	Balance Deposit available		10,83,601-00
	Balance Deposit adjusted against C.C.Charges of the HT services in the following manner as per the consumer letter		
3	KNL 230	462619	
4	KNL 355	327256	
5	KNL 583	293726	10,83,601-00

**The respondent-3, The Chief General Manager/R & I  
A/APSPDCL/Tirupati**

**in his written submission dt:23.04.2015, received in this office on dt:24.04.2015 stated that:**

1. The HT Temporary supply was released to Sc.No.KNL T003,M/s,Sree Rayalaseema Hi-Strength Hypo Ltd on 29.06.2012. The consumer has paid Deposit towards Advance Consumption Charges as follows:

Sl.No	Date	Amount
a	14.06.2012	25,92,000-00
b.	25.09.2012	10,36,800.00
	Total	36,28,800-00

2. The Monthly C.C.Bills are issued to the consumer from July-2012 to May-2014 and the consumer arranged payment of bills up to April-2014.An amount of Rs.20,08,655/- was not paid the consumer, hence ,notice was issued to the consumer for arranging payment of outstanding amount of RS.20,08,655/- , In this regard, the consumer requested SE/O/Kurnool for adjustment of the above mentioned outstanding amount and to refund the balance advance consumption deposit vide letter dated 21.06.2014.
3. Due to AP State Re- organization ,the Ananthapuram and Kurnool Circles were merged in to APSPDCL from the erstwhile APCPDCL. W.e.f.02-06-2014.During this process the uploading of Temp supply deposit got delayed. Hence the consumer filed C.G.No.189 of 2014-15 Kurnool Circle before the Hon'ble CGRF during the month of November-2014.The consumer has paid the advance C.C.Charges at DE/O/Knl. The DE/O/Knl has sent the TCA to circle office Kurnool an amount of Rs.33,57,399/- (i.e.after adjusting the dismantlement/incidental expanses etc).
4. Subsequently the consumer vide letter dated:06-02-2015 addressed to the DE/O/Knl to adjust their advance C.C.Charges paid as follows.

Sl.No	Description	Amount
1.	Dues of Sc. No:T003	20,08,655/-
2.	Dues of Sc. No: KNL 583	2,93,726/-
3.	Dues of Sc. No:KNL 355	3,27,256/-

4.	Dues of Sc.No:KNL 230	4,62,619/-
	Total	30,92,256/-

Accordingly the Senior Accounts Officer ,Kurnool adjusted the amount received through TCA from DE/O/Knl as follows:

Sl.No	Description	Amount
1.	Dues of Sc. No:T003	22,73,798/-(including surcharge)
2	Dues of Sc. No: KNL 583	2,93,726/-
3.	Dues of Sc. No:KNL 355	3,27,256/-
4.	Dues of Sc.No:KNL 230	4,62,619/-
	Total	33,57,399/-

Hence, the adjustment of advance C.C.Charges paid is done as the request of the consumer to arrears pending against the service and the services belonging to their group services.(Copy of consumer representation enclosed).In view of the above facts , the case may please be treated as closed.

**Findings of the Forum:**

1. Sri T.G.Bharath,CMD of Sree Rayalaseema Hi-Strength Hypo Ltd in his petition filed before the Forum has requested to arrange the refund the balance amount paid by them towards the advance CC Charges for the Temporary supply HT service no KNL T003.
2. As could be seen from the documents and submissions made available to the Forum, it is observed that the Complainant has paid Rs 36,28,800/- towards advance CC Charges against HT KL T003 .As against this amount the Respondent no 4 after recovering /adjustment of Rs 2,71,401 /- has sent TCA for Rs 33,57,399/- to the Respondent No 5 for adjustment of the said amount towards the arrears against Sc No. s T003,KNL 583, KNL 355 and KNL 230 as per the request of the Complainant. The details of recovery/adjustment of Rs 2,71,401/- has been obtained from the Respondent No 4.The details are as follows:-

Rs

Labour Charges	-	1,70,852
Cost of material	-	3,969
25% Supervision Charges on Cost of material & labour	-	43,705.34
3% contingencies on Material & Labour	-	5,244.63
Application fees	-	50
Urgency charges	-	100
Incidental charges	-	47,480
Adjustment		0.03
		<u>2,71,401.00</u>

3. Although the Complainant has paid the Incidental Charges of Rs 47,480/- vide D.D.No 107663/14.06.2014, the Respondent 4 has recovered it from the advance CC Charges. This require to be refunded to the Complainant.
4. The Complainant in his letter dated 09.05.2014 addressed to Respondent No 5 has requested to adjust the CC bill amount of KNL T003 against the advance CC Charges paid by them since their Temporary HT service Agreement has been terminated on 31.03.2014.The Complainant in his letter dated 6.02.2015 addressed to Respondent 4 has also requested to adjust the balance advance CC Charges available against the Temporary service KNL –TOO3 against KNL 583,KNL355 and KNL 230.
5. Accordingly the Respondent 5 has adjusted it vide RJ.No 06/2.15,after receipt of TCA from Respondent 4

### **ORDER**

1. The Respondents are directed to refund the incidental Charges of Rs 47,480/- which was recovered erroneously though the Complainant has paid the same immediately within 15 days from the date of receipt of this order without interest.

2. The Respondents are also directed to with draw the surcharge if any levied on the Temporary service KNL003 after receipt of letter from the Complainant to adjust advance CC Charges against his regular bill.

Accordingly the case is allowed and disposed off.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4<sup>th</sup> 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 30<sup>th</sup> 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.