

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

On this the 21st day of May 2015

In C.G.No:247/ 2014-15/Kurnool Circle

Present

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

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri M.Khaja Hussain
C/o M.Khamalsaheb
D.No:6-51
Chinnatumbalam
Chinnatumbalam- Post Office
Adoni
Kurnool – Dist
518313

Complainant

And

1.Assistant Accounts Officer/Yemmiganur
2.Assistant Engineer/Peddakadubur
3.Assistant Divisional Engineer/Mantralayam

Respondents

Sri M.Khaja Hussain C/o M.Khamalsaheb is a resident of D.No:6-51 ,Chinnatumbalam , Chinnatumbalam – Post Office ,Adoni,Kurnool- Dist. herein called the complainant, in his complaint dt:16.03.2015 filed in the Forum on dt:16.03.2015 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 has stated that:

1. He is a resident of D.No:6-51 , Chinnatumbalam , Chinnatumbalam Post Office ,Adoni,Kurnool- Dist.

C.G.No:247/2014-15/Kurnool Circle

2. His service no:8131304000056. To his service Back billing done from 8/2011 to 1/2014.
3. So kindly revise the bills and do Justice .

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

The respondent-3 i.e. the Assistant Divisional Engineer /Operation Sub - Division/APSPDCL/Mantralayam his written submission dt:01.04.2015, received in this office on dt:20.04.2015 stated that:

1. The complaint filed by Sri M.Khaja Hussain, C/o Kamal Saheb, Chinna Tumbalam(V),Peddakadubur(M) towards back billing of Category LT3(A0 industrial service, it is to submit that the ADE/DPE/Kurnool inspected the ISC No.0304000056 on 02/01/2014 and recommended for back billing for the period from 28.09.2011 to 02.01.2014.
2. On enquiring the issue, it was learnt that the designated MF to the above service was 1.0.However,when the meter was changed on 28.09.2011,the new meter was fixed with MF 0.5 which came into light after the inspection by the DPE wing.Due to MF variation, back billing was proposed .as per the recommendations of ADE/DPE/Kurnool,an assessment notice was served to the Consumer to pay Rs.33806.00 towards short billing occurred from 28/09/2011 to 02/01/2014.

Findings of the Forum:

1. During the Vidyuth Adalath conducted at Adoni on 16.03.2015 by the Forum Sri M.Khaja Hussain C/o M.Khamal Saheb of Chinnatumbalam has filed a petition before the Forum requesting to reduce the backbilling amount included in the bill from 8/2011 to 1/2014 against his Industrial service bearing no 0304000056.
2. On receipt of the notice from the Forum, the Respondent No 3 has submitted his reply vide D.no 416/15 dt 01.04.2015, where in he has stated that the multiplying factor of the meter was erroneously billed as 0.50instead of '1' right from the day of meter changed i.e., from 28.09.2011 to 02.01.2014 and hence based on the recommendations of ADE/DPE/Kurnool assessment notice was issued on the complainant to pay Rs 33806/- towards short billing from 28.09.2011 to 02.01.2014.

Rule Position: In accordance with section 56 sub section(2) of the Electricity Act 2003 read with clause 4.8.2 of Regulation No 5/2004 ,no sum due from any consumer shall be recoverable after the period of two years from the date when such sum become first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity. In the light of the rule position , the following order is issued.

ORDER

The Respondents are directed to limit the assessment for two years in accordance with section 56(2) of IE Act 2003, and revise the assessment orders within 10days from the date of receipt of this order.The complainant is advised to pay the revised assessment amount since the same is the actual consumption availed by him only.

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 21st day of May 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.

