

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

On this the 26th day of June 2014

In C.G.No:45/ 2014-15/Vijayawada Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Sateesh Kumar

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri. Nayudu Biksham
C/o Sampath Rao
DNo:2-14/1., Sangameswaram
Nagayalanka Post & Mandal,
Krishna-Dist-521120

Complainant

And

1. Assistant Accounts Officer/ERO/Avanigadda
2. Assistant Engineer/Operation/Nagayalanka
3. Assistant Divisional Engineer/Operation/Avanigadda
4. Divisional Engineer/Operation/Vuyyuru
5. Senior Accounts Officer/Operation/Vijayawada
6. Superintending Engineer/Operation/Vijayawada

Respondents

Sri. Nayudu Biksham, C/o Sampath Rao resident of DNo:2-14/1., Sangameswaram, Nagayalanka Post & Mandal, Krishna-Dist-521120 herein called the complainant, in his complaint dt:24-05-2014 filed in the Forum on dt:24-05-2014 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 consumer cultivating aqua with service number.524 under LT-Category-III for a load of 7.5HP at Sangameswaram of Nagayalanka Mandal in Krishna-Dist.

2. Due to his financial position he could not do cultivation in the months of May and June 2013.
3. The same matter was informed to the officers at Avanigadda and Nagayalanka, but started utilization in August and September 2013 and the consumption was 206 units, but the bill for April and May was Rs.5893/- and the subsequent months of May, June, July, August till September the bill was Rs.1259 and the total of Rs.8077/- was paid in September 2013.
4. The subsequent bill for October for Rs.1102/- was also paid again he stopped cultivation due to crop loss, it was continued till January and the supply was not utilized and the same matter was informed to the electricity officers at Avanigadda and Nagayalanka.
5. But he received bills for the months of October and November for Rs.4,317/- and for November and December Rs.3,770/- and for December and January Rs.294/-.
6. Since he had not utilized any power, but received bills on high side he had represented the matter to the AE and ADE and explained the situation for which the officers replied that he shall pay the amount first and the matter will be looked into, afterwards. But having the feel that the said bills are un justified in view of his non-utilization of power, he did not pay the bills and the amount was accumulated to Rs.8,381/-.
7. Also the meter readers are issuing bills without actually going to the premises and looking at the meter, resulting in huge bills disproportionate to the consumption in actuals.
8. His service above was disconnected on 06-01-2014 and the meter also was removed and taken away by the department.

9. Requested the forum to hear the matter and relive from the burden of huge bills issued unlawfully and restoration of supply to their service duly fixing a new meter .

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

The respondent-3 i.e. the Assistant Divisional Engineer/Operation/ Avanigadda in his written submission dt:31-05-2014, received in this office on 02-06-2014 stated that:

1. The consumer of SCNo.6722230000524, Sangameswaram, LT-Category-III service has represented to revise the CC.bill for the period November/2013 and December/2013 for an amount of Rs.4,317/- and Rs.3770/- respectively.
2. In the month of 11/2013, meter was found struck up. Average of 819 units billed with an amount of Rs.4317/-. But the consumer has not paid the CC bill amount. As per the consumer representation the premises was inspected by AE/Opn/Nagayalanka on 15-02-2014. During the inspection of AE/Opn/Nagayalanka, it was observed the consumer is not using the supply at the time of meter struck up also. The meter particulars at the time of inspection of AE/Opn/Nagayalanka are Make:HPL, SI No.16722385, Cap:3x10-40A, Reading : No Display.
3. Due to non-payment CC charges, the service was disconnected on 06-01-2014 and the service is under disconnection and the consumer also not availing supply. The consumer has not paid minimum charges also. Hence the meter also not replaced.
4. A letter was addressed to Junior Accounts Officer, Sub-ERO, Avanigadda to change the status from 02 to 03 in the month December/2013 vide letter No.AE/OS/NGL/D.No.532/14, Dt:19-02-2014 for revision of CC.bill as mentioned in letter. The struck up meter also replaced on 31-05-2014 with new meter.

5. Hence necessary instructions may please be issued to revision of CC.bill as the consumer is not using supply at the time of meter struck up.

Findings of the Forum:

1. The complainant is cultivating aqua utilizing load of 7.5HP and was paying CC.Charges regularly, but due to failure of culture he stopped the activity from the month of May 2013 till January 2014, but the respondents continued to issue bills on high side without considering his usage and without looking at the meter and finally removed his meter in January 2014 under the plea of non payment of CC.Charges accumulated to a tune of Rs.8000/-. Requested the Forum to pass such orders that his service above is restored through meter besides taking suitable actions against the officers caused mental agony to him.
2. The respondent-3 i.e. the ADE/Opn/Avanigadda in his reply stated that the consumer had represented for revision of bills for the month of November and December 2013 with the amounts Rs.4,317/- and Rs.3,770/- respectively. The meter was found stuck up in 11/2013 and an average of 819 units were billed and the billed amount was Rs.4,317/-. On representation of the consumer, the AE/Opn/ Nagayalanka had inspected the premises on 15-02-2014 and during the inspection he noticed that the meter was stuck-up the particulars of the meter was HPL make with serial number 16722385, Cap:3x10-40 AMPs and the reading is not visible due to no display, Due to non payment of CC.Charges the service was disconnected on 06-01-2014 and the consumer was not availing supply, the meter also was not replaced due to non payment of minimum charges by the consumer. It was recommended to the JAO/Sub-ERO/Avanigadda for to change the status of the service from 02 to 03 in the month of December 2013 in his letter dt:19-02-2014 and

recommended for revision of bill also and finally the stuck-up meter was replaced on 31-05-2014.

3. As could be seen from the account copy of the service, the service was first released on 07-05-2012 for a load of 7.5HP and from the beginning itself till 09/2012 the readings was shown as 1 with status 09 and in the 10th month the consumption was shown as 268 units and continued till 05/2013 where the consumption was 1117 units. Again the status was shown as 09 for three months, again it was shown as stuck up for the month of 12/2013 and 01/2014, but the consumption was shown as 819 units and 682 units as the consumption arrived at on average basis for the period of meter stuck-up.
4. The meter was checked by the Forum in the presence of the consumer and the respondents on 19-05-2014 at Vuyyuru duly extending supply, but the meter display was blinking with junk figures and hence it was concluded that the meter behaved erratic.
5. On the other hand the consumer stated that he could not utilized supply for the reason the lines were removed by the canals authorities as a part of renovation of drains as were laid on the bunds and the lines were not restored immediately. The same was accepted by the respondents also.
6. As such the Forum believed in the contention of the complainant that he had not at all utilized power for his service, but the respondents though not utilized power had raised bills on average basis for the period of meter stuck up as both happened simultaneously.
7. As such it is felt that the raising of bills for the months of 12/2013 and 01/2014 for consumption of 819 units and 682 units is unjustified and needs withdrawal of the same.
8. Since the accumulated arrears about Rs.8,000/- are on account of wrong billing by the mistake of the respondents mistaking the meter status, and

hence should have resorted for removal of the meter rather they should have replaced the meter with a healthy one. It should not be a bar for replacement of the meter, while there are arrears pending rather it would have been helped in assessing the condition of the service. It is not fair on the part of the respondents for not restoring the removed lines immediately to extend supply to the consumers.

9. As such the respondents shall revise the bills for the months of 12/2013 and 01/2014 treating the consumption as nil keeping other as per norms and withdraw the amount accordingly. With regards to the actions on metering side since it was replaced on 31-05-2014 there is no further order in this regard.

In view of the above, the Forum passed the following order.

ORDER

The respondents are directed that

1. They shall revise the bills of the service for the months of 12/2013 and 01/2014 treating the consumption as '0' for both the months and adjust the amounts if any paid in excess by the consumer in this regard within 15 days from the date of this order.
2. Shall restore the lines and supply to the complainants service within 15 days from the date of this order if not already done so.
3. They shall report compliance on the item-1 and 2 above of the order within further 7 days to the Forum.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, 1st Floor, 33/11KV Sub-Station, Hyderabad Boat Club Lane, Lumbini Park, Hyderabad-500063**, within 30 days from the date of receipt of this order.

Signed on this, the 26th day of June 2014.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.