

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

On this the 8th day of September 2015

In C.G.No: 233/ 2015-16/Kurnool Circle

Present

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

Chairperson
Member (Accounts)
Member (Legal)

Between

Sri M.Tejaswara Gupta
C/o Ravi Teja Industries
U.Kothapalli
Dhone- Post Office
Dhone
Kurnool- Dist
518222

Complainant

AND

1.Assistant Accounts Officer/Dhone
2. Assistant Engineer/Dhone Rurals
3. Assistant Divisional Engineer/Dhone
4.Divisional Engineer/Dhone

Respondents

Sri M.Tejaswara Gupta C/o Ravi Teja Industries is a resident of U.Kothapalli ,
Dhone, Kurnool-Dist ,here in called the complainant, In his complaint dt:17.07.2015 filed
in the Forum on dt:17.07.2015 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 resident of U.Kothapalli , Dhone, Kurnool-Dist .

C.G.No:233/2015-16/Kurnool Circle

2. He is having Industries with Sc.No:0143000130 and 0143000132 in the name M/s Raviteja Industries, U.Kothapalli and M/s Ravikiran Industries , U.Kothapalli respectively.
3. Actually they paid the consumption charges for the above industries since from 20 Years. But from 08/2009 the consumption charges are paid by their firms through State Bank of India to the APCPDCL Account. For example the amount are paid before due date i.e , 15th to 20th of the every month and the Bank counter foil is send through courier in the same day . But the amount is credited to their services in the end of the month by the month bill the surcharge for late payment is added in the bill along with the consumption of the month . The details for payment particulars and surcharge levied for the above services are submitted for kind perusal and Justice requested from the Department because they paid the consumption charges in due date.
4. So please deduct /remove the surcharges collected from their firms and the same is adjusted to the C.C.bill of the respective services. They pray for Justice and Justification is requested.

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

The respondent-2 and 3 the Assistant Engineer /Operation/Dhone &i.e. the Assistant Divisional Engineer / O/APSPDCL/Dhone in their similar written submission dt:25.07.2015, received in this office on dt:31.07.2015 stated that:

1. The consumer of ISC .No.32 U.Kothapalli (V) in Dhone(M) has paid Rs.6050/- towards addl.load of 3HP to the existing load of 70HP total making load of 73HP vide PR.No.45702007408 Dt :19.04.2012.

2. Further it is to submit that, due no non-migration of Addl.load payment particulars from APCPDCL to APSPDCL SAP software the estimate was not processed for releasing of addl.load.
3. In view of the above , it is to submit that , the 3HP addl.load was released to the above consumer soon after taking the permission from the SAP authorities of APSPDCL , Tirupati for payment particulars and also sanction of the estimate from the higher officers by the end of 15.8.2015.

The respondent-1 i.e. the Assistant Accounts Officer / ERO/APSPDCL/Dhone in his written submission dt:18.08.2015, received in this office on dt:20.08.2015 stated that:

1. Consumer made payment through online and he confirmed to them by submitting payment voucher to their office.
2. After receipt of the voucher it was confirmed by banker and immediately arrange payment receipt to the consumer.
3. If the consumer submitted payment voucher after due dated which was paid before due date he is not able to issue PR to the consumer before the due date.
4. The Surcharge was withdrawn vide RJ No.05/-05-2014 (enclosed RJ.Copy) to the Sc.No.130 an amount of Rs.2218.00 and SC.No.32 an amount of Rs .4105.00 as per the consumer representation in the month of 05/2014.
5. In this case Additional charges levied to the service only for which was consumer made payment after due date or payment made in time but vouchers acknowledged after due date.
6. Consumer is paying part amount of C.C. charges from January ,2011 to till to date so the additional charges levied on arrears only.

Findings of the Forum:

1. Sri M .Tejaswara Gupta of U.Kothapalle , Dhone has lodged a complaint before the Forum during the vidyuth adalat held at Dhone on 17.07.2015. The complainant in his complaint has informed that surcharge for belated payment has been added to the bills from 2008-2009 though he has arranged payment of the CC bills before the due date . But the complainant has not enclosed the detailed statement of date of payment , due date and belated payment surcharge levied.
2. Responding to the notice issued to Respondents by the Forum , the Respondents No.I has submitted vide his letter dated 18.08.2015 , received in the Forum on 20.08.2015. The Respondents immediately after confirming the details from the Banks .He has also stated that surcharge of the Rs 2218/- and Rs 4105/- has been withdrawn vide RJ No .5/5.2014. for the service numbers 130 and 1320 respectively.
3. As could be seen from the copy of the Account statement it is observed that the complainant has been paying part amounts and hence arrears are appearing almost in all months from January 2011.
4. In accordance with clause 4.3 of Elec supply code Regulation no.5/2004 issued by the Hon'ble APERC , the payment of bills shall be made at the specified local collection centres of the licensee on any working days during prescribed hours or through any other facility like E-Seva , banks ,post offices,internet etc., as may be provided by the licensee . The consumers can also arrange payments in the manner as provided by the licensee from time to time in accordance with supply code Regulations of APERC.
5. As could be seen from the submissions of the Respondent No.1 it is observed that the complainant is not paying the bills in accordance with Regulations contained in supply

code no.5/2004 . But he is paying the bills with his own style and method and producing the proof of payment of bills directly in to the licensee's account at a later date to the Respondent No.1 . Since the Respondent cannot recognize the consumer wise details for the payments made by the complainant directly to the Bank account, he is constrained to issue receipts only after production of valid vouchers of the bank by the complainant to the Respondents , The Respondent cannot issue receipts with retrospective dates.

The grievance of the complainant can be easily overcome by resorting to arrange payments only in accordance with the methods enunciated in the supply code Regulation No.5/2004 and as per the facilities provided by the licensee only.

ORDER

Since the addl.surcharge levied on the complainants services has been withdrawn by the Respondents during May 2014 the case is disposed off with an advise to the complainant to arrange payment of CC bills in the manner elucidated in the Supply code Regulation 5/2004 or as per the facilities provided by the licensee from time to time only.

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 08th day of September 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.