

**BEFORE THE FORUM**  
**FOR REDRESSAL OF CONSUMER GRIEVANCES**  
**IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI**  
**On this the 4<sup>th</sup> day of June' 2019**  
**C.G.No:94/2018-19/Guntur Circle**

**Present**

Sri. A. Jagadeesh Chandra Rao  
Sri. A. Sreenivasulu Reddy  
Sri. D. Subba Rao  
Sri. Dr. R. Surendra Kumar

**Chairperson**  
**Member (Finance)**  
**Member (Technical)**  
**Independent Member**

**Between**

M. Ramanjaneyulu,  
3-125,  
Lingamguntla,  
Chilakaluripet,  
Guntur -Dist

Complainant

**AND**

1. Assistant Accounts Officer/ERO/Chilakaluripet
2. Assistant Executive Engineer/O/Chilakaluripet
3. Deputy Executive Engineer/O/Chilakaluripet
4. Executive Engineer/O/Guntur Rural 1
5. Superintending Engineer/O/Guntur

Respondents

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**ORDER**

1. Complainant presented this complaint stating that he is resident of Lingamguntla (V). He established "Sivarythuseva Sangam" in and around 1990 and was elected as president for the said society. An AGL service connection No.1523260800448 was obtained in the name of the above association. The service was utilized till 2010. Subsequently as there is no water in the vagu they stopped utilizing the service connection. Since the service connection is registered in his name the same was tagged to his domestic service and a bill was being raised at Rs.30/- per month towards the said AGL service connection in his domestic service connection. He was regularly paying that amount. Suddenly on 03.01.2018 a bill was issued stating that there are arrears of Rs.10,317/- towards AGL service connection and subsequently it was raised from time to time. They are not utilizing the AGL service connection and he was regularly paying Rs.30/- and he was not able to understand how such an accumulated AGL service connection bill was raised in the year 2018. According to Sub - Sec (2) of Sec. 56 of Electricity Act, Licensee is not entitled to recover arrears beyond two years from the date of first due. Hence he prayed for withdrawal of fictitious arrears and dismantle the AGL service connection.

**DESPATCHED**

DATE 11/6

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2. Respondents No.1 and 2 filed joint written submission stating that AGL service connection was released in the name of the complainant, arrears up to June'2004 for an amount of Rs.28,928.91 were waived and arrears up to Nov'2004 were cleared. CC bills were issued for every six months. So Sec. 56 of the Electricity Act, 2003 is not applicable to the facts of this case. Consumer has applied for dismantlement of AGL service connection. The service was not dismantled as he applied without any consent letters from other farmers and without any ID proof. Consumer has paid an amount of Rs.570/- towards customer charges from Jan'2005 to Mar'2018. AGL consumers are objecting for issuing of bill for six months and not in regular linkup service. So the total arrears were displayed in the domestic service CC bills from Jan'2018. The consumer has to pay monthly customer charges.
3. A personal hearing was conducted at office of Superintending Engineer, Guntur on 25.07.2018. Both parties reiterated their versions. Complainant agreed to send no objection from the other members of Sivarythuseva Sangam and accordingly he sent a paper containing signatures of 16 members of Sivarythuseva Sangam with their signatures and mobile numbers. He also filed written arguments.
4. Complainant in his written arguments stated that respondents themselves admitted that the Government of A.P. waived arrears of CC charges up to Jun'2004 and the arrears up to 2004 were cleared. The contention of the respondents that bill for collecting customer charges @ 30/- per month were issued for every six months is not correct. He has not received single bill for customer charges. The AGL service was linked with domestic service and customer charges are being collected. He was paying the bills as and when received. Respondents are not permitted to raise bills twice i.e. raising bill for 6 months and also including customer charges every month in the bill of domestic service. Complainant further argued that if the contention of respondents is taken into consideration the alleged arrears raised after Dec'2014 subsequent to promulgation of the Electricity Act, 2003, in the absence of any saving provision respondents are prohibited from collecting charges beyond the period provided under Sub Sec.(2) of Sec. 56 of Electricity Act, 2003. The provisions of Sub Sec (2) of Sec. 56 of Electricity Act, 2003 are not applicable for collection of customer charges for AGL service connection is not tenable. The service connection is not in use from the year 2010 onwards and motor was also removed and kept in the house. Respondents also erected separate transformer for other AGL services in the vicinity of the disputed service connection. The lineman disconnected the motor and they are well aware of non-existence of AGL service connection. Respondents ought to have issued notice as to

why the AGL service connection shall not be treated as cancelled in the absence of LT line and non-existing motor. The complainant further stated that he presented a complaint in respect of issuing of wrong bills for his domestic service and for replacing the defective meter. The Forum has awarded compensation in C.G. No.194/14-15/Guntur Circle. On 02.06.2015 after passing of award in C.G No.194/14-15 he was receiving messages from AE/O/Rural/Chilakaluripet to his mobile calling him to pay arrears of CC charges on 02.05.2015, 12.08.2015 and 12.09.2015. There after he submitted a representation to DE/ O/GNT and others on 13.02.2016.

5. Respondents have not placed any documentary evidence to show that Rs. 30/- towards customer charges of AGL service connection was not included in domestic service connection bills issued to the complainant.
6. Complainant specifically represented that he paid Rs.30/- towards customer charges of AGL service connection along with his domestic CC charges amount and demanded to produce registers pertaining to the disputed service connection No and his domestic service connection No. from 2004 onwards. But respondents did not choose to file any scrap of paper to prove contra. Respondents also did not file the demand notice served on the complainant towards customer charges of AGL service connection without raising demand adding surcharge to the due amount is illegal. The version of the complainant that after his complaint in C.G. No.194/2014-15/GNT Circle ended in his favour by awarding compensation of Rs.7,500/-.He started receiving messages for payment of customer charges of AGL service connection. Respondents did not give any specific answer for the allegation made by the complainant. On the other hand they have not filed any documentary evidence that the complainant has not paid customer charges for AGL service in dispute along with CC charges for his domestic service connection. Respondents also did not dispute that there is no water in the canal and the service connection was not used for the last 7 or 8 years. In the absence of documentary evidence respondents are not entitled to collect arrear bills of customer charges along with surcharges. Respondents have also not placed any authority that the service connection could not be dismantled on account of nonpayment of arrears of customer charges of AGL service connection.

Complainant also furnished the Mobile No's of some of the other members of the Siva Rythuseva Sangam. When the staff of the Forum contacted some of them they stated that they have no objection for dismantlement of service connection. The service was not released in the name of Siva Rythuseva Sangam. Now respondents cannot insist that all

the members of Siva Rythu Seva Sangam have to submit joint application for dismantlement of service connection.

7. In view of the above reasons the demand raised by the respondents towards customer charges of AGL service connection No. 9121160800448 along with surcharges imposed thereon is illegal and is liable to be withdrawn. Respondents are directed to dismantle the service connection forthwith and submit compliance report within 10 days from the date of the receipt of this order.

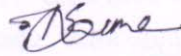
8. Accordingly the complaint is disposed off.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3<sup>rd</sup> Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008, within 30 days from the date of receipt of this order.

This order is passed on this, the day of 4<sup>th</sup> June 2019.

Sd/- Sd/- Sd/- Sd/-  
Member (Finance) Member (Technical) Independent Member Chairperson

**Forwarded By Order**



**Secretary to the Forum**

To

The Complainant

The Respondents

Copy to the General Manager/CSC/Corporate Office/ Tirupati for pursuance in this matter.

Copy to the Nodal Officer (Executive Director/Operation)/CGRF/APSPDCL/TPT.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh, 3<sup>rd</sup> Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008.

Copy Submitted to the Secretary, APERC, 11-4-660, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.