

**BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 19th day of January 2019
C.G.No:229/2018-19/Kadapa 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

**N. Venkata Siva Reddy,
S/o. N. Subbi Reddy,
Nidzivi (V),
Yerraguntla (M),
Kadapa -Dist**

Complainant

AND

1. Assistant Accounts Officer/ERO/Yerraguntla
2. Assistant Engineer/O/Yerraguntla (R)
3. Assistant Divisional Engineer/O/Yerraguntla
4. Divisional Engineer/O/ Proddatur

Respondents

ORDER

1. N. Venkata Siva Reddy, S/o. N. Subbi Reddy, Nidzivi (V) Yerraguntla (M) presented a complaint before this forum during the Vidhyut Adalat held at Yerraguntla on 18.08.2018. The complainant in his petition has informed that excess bills are being received for the last two months as he had exceeded the recorded maximum demand against the service No.2234514000287. But he had never exceeded the connected load. He had requested to withdraw the additional load amount included in the CC bills.
2. The Respondent No.2 in his written submission has informed that the recorded MD in the CT Meter of the service No. 2234514000287 of the complainant was more than the contracted demand i.e. 16.41 KW. The same was entered in the reading registers every month and intimated to the complainant to regularize the excess load. But the complainant has not responded. Additional load notice was automatically generated in MATS for the service exceeding the contracted load and additional load charges included in the CC bills.
3. Taking into consideration the petitions filed by 61 complainants in Yerraguntla, the forum has issued interim directions vide I.A No.06/2018-19 Kadapa Circle directing the respondents not to disconnect the service connection of the complainant on the ground that

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DESPATCHED
DATE 31/01

they have not paid the miscellaneous charges mentioned in the respective electricity bills till the disposal of the case.

4. Point for determination is whether the respondents are entitled to include additional load amount automatically generated in the MATS without issuing notice on the complainant?

The case of the complainant is that though he has never connected more load than the contracted load but the respondents on the pretext of recorded MD in the CT Meter was more than the contracted load and have included the additional load amounts in the bills without issuing notices is arbitrary and illegal.

It is not just and reasonable to include any shortfall amount without issuing appropriate notice on the complainant. The act of the respondents in including the additional load amount on the ground that the same was automatically generated in the MATS is against the principles of natural justice, arbitrary and illegal. Any shortfall amount included in the bills without issue of notice on the complainant is liable to be set aside and the respondents are *not entitled to include such amounts in the bills. Thus the point is answered accordingly.*

5. In result, the respondents are directed to set aside the additional load amount included in the bills of the complainant besides withdrawing the delayed payment surcharge if any included on the above amount. However the respondents are at liberty to issue a fresh notice if the complainant has exceeded the contracted load in accordance with the provisions of Appendix No. IX of General Terms and Conditions of Supply.

6. Accordingly the complaint is disposed off in favour of the complainant.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, Flat No:401, 4thFloor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063**, within 30 days from the date of receipt of this order. This order is passed on this, 19th day of January 2019.

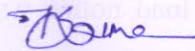
Sd/-
Member (Finance)

Sd/-
Member (Technical)

Sd/-
Independent Member

Sd/-
Chairperson

Forwarded By Orders



Secretary to the Forum

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RESERVED
DATE 2/1/19

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, Flat No: 401, 4th Floor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063.

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

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DISPATCHED
DATE 2/1/19