

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:248/2018-19/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

D. Dastagiri,
S/o. Sanjanna,
Nidzivi,
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. D. Dastagiri, S/o. Sanjanna Nidzivi 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 has exceeded the recorded maximum demand against the service No.2234514000202. He has requested to withdraw the additional load amount included in the CC bills**
- 2. The Respondent No.2 in his written submission has informed that 2 No's additional load cases were booked against the ISC No. 2234514000202. One No. case was booked by the DPE/Proddatur on 21.12.2017 and complainant has paid the additional load amount on 21.06.2018 for service No. 2234514000202. But the additional load**

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DESPATCHED

DATE

2/2

was not effected by the Respondent No.1 in the records. Due to delay in payment of additional load amount, based on the recorded MD of 34.5 KW during 05/2018 in the CT meter against the service No. 2234514000202, additional load case was automatically generated in the bills of the service in the MATS.

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 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 the additional load amount automatically generated in the MATS without issuing notice on the complainant?

Though the respondent No. 2 himself has submitted that the complainant has paid the additional load amount on 21.06.2018 the respondent No.1 has not updated the additional load particulars and hence the system has automatically generated the additional load amount again second time. The other respondents have not filed any appropriate replies but Respondent No.4 has just endorsed the submission of Respondent No.2.

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. In the instant case though the complainant has paid the additional load amount due to non-updating of the master data by one of the respondents, the shortfall amount was included, which is highly objectionable. 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 by issuing notices 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, 4th Floor, 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.

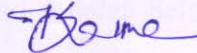
Sd/-
Member (Finance)

Sd/-
Member (Technical)

Sd/-
Independent Member

Sd/-
Chairperson

Forwarded By Orders



Secretary to the Forum

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.