

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

On this the 28th day of May 2019

C.G.No:99/2018-19/Kurnool 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

S.Gousia Begum,
W/o. Farooq,
18-9-1,
Gonegandla Road,
Yemmiganur,
Kurnool -Dist

Complainant

AND

1.Assistant Accounts Officer/ERO/Yemmiganur
2.Assistant Executive Engineer/O/Yemmiganur
3.Deputy Executive Engineer/O/Yemmiganur
4.Executive Engineer/O/Adoni

Respondents

ORDER

1. S. Gousia Begum W/o. Farooq resident of Yemmiganur presented a complaint before this Forum wherein she has informed that she is having service connection No.8132301025398. While releasing of the service connection the department officers have erroneously released the service connection under domestic category though application was registered for commercial connection. She has paid all the bills promptly. On 06.03.2018 the lineman has served provisional assesment order for an amount of Rs 15,609/-. When she contacted the respondent No.2 he has advised to pay the bill since she is availing supply for commercial purpose. She has appraised that she is not in a position to pay such huge amount and hence requested to inquire into the matter and issue orders waiving the excess amount issued.
2. The respondent No.1 in his written submission has explained that an unauthorised case has been booked by DPE wing and assessed an amount of Rs.30,958/- . The same has been included in the CC bills vide RJ No. 18/4-18 duly changing the category from Cat -1 to Cat- 2. The DE/Assessments/TPT has reduced the provisional assessment amount to Rs.10,765/- in his final assesment orders and hence an amount of Rs 3,193/- was with drawn vide RJ No.07/6-18.
3. When the complainant has been contacted over phone on 29.6.2018 she has informed that she is not satisfied with the final assesment amount. Hence personal hearing through video

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conferencing was conducted on 06.04.2019. Both the complainant, respondents attended to the hearing and the complainant explained that the assesment is not correct and requested for waival. The Forum has directed the respondents to inspect the premises and submit a detailed report with regard to all service connections in the premises.

4. The respondent No.4 also filed written submission stating that the premises of the complainant was inspected on 17.04.2019. There are 5 No's services in the premises of the complainant they are :

1. 25398 - Cat-2
2. 29852 - Cat -1
3. 29915 - Cat-2
4. 29916 - Cat-2
5. 29917 - Cat -2.

The complainant has applied for new service connection for construction purpose and service No. 29398 was released on 28.06.2013 under Cat-2. The complainant has constructed 4 No's shops along the road side and a house on the back side for residential purpose. After completion of construction work the complainant had taken another new service connection No.29852 under Cat - 1 for residential purpose on 16.03.2017 and the earlier Cat- 2 service i.e. 25398 was fixed in one shop and 3 more new services were taken for the remaining 3 shops under Cat - 2 for commercial purpose which were released on 08.04.2017. Service No.25398 was changed from Cat - 2 to Cat-1 during 03/2016 even though the complainant was availing supply for commercial purpose. The respondent No.1 has informed that there is no record available in the office on whose recommendation the category of the service was changed from Cat - 2 to 1. During the intensive inspection on 06.03.2018 the AE/ DPE/ KNL inspected the complainant premises and noticed that the service under question is being utilised for non domestic purpose and a case was booked under unauthorised usage. Provisional assessment order was issued by respondent No.3 for the units recorded during the malpracitce period i.e from 06.03.2017 to 06.03.2018 for an amount of Rs.13,958/- . The final assesement order was issued by EE/ Assesements for Rs.10,765/- The said service connection was disconnected during Sep' 2018 for non payment of final assessment amount and the service is under disconnection till to date.

5. Point for determination is whether the complainant is liable to pay the final assessment amount as per the final assessment orders issued by the DE/Assesments/TPT ?

The respondent No.4 in his written submission has categorically stated that there is no record available on whose recommendation the category of the service was changed from 2 to 1 during March 2016. This clearly shows that the complainant is in no way responsible for change of

category from 2 to 1 and has paid the bills as per the demand notices issued by the respondents.

The AE/DPE during his course of inspection of the service on 06.03.2018 noticed that the complainant service is under category -1 whereas utilising supply for non domestic purpose and hence malpractice case booked and the DE/Assessment finalised the assessment for Rs. 10,765/- duly charging twice the normal energy charges. The complainant is no way responsible for change of category from 2 to 1 and hence is not liable to pay the penal charges. However since the complainant has been availing supply for Cat- 2 non domestic category she is liable to pay the tariff as per tariff order provided for LT Cat -2 from March'2016 to March'.2018 . Thus the point is answered accordingly.

6. In result the respondents are directed to revise the bills of the complainant under Cat - 2 normal tariff from 01.4.2016 to 31.03.2018 and allow the complainant to pay the bills in 6 monthly instalments. The assessment orders issued by the EE/Assessments are liable to be set aside and accordingly the same is set aside. Further the respondents are directed to revise the bills and compliance reported to this Forum within 15 days from the date of receipt of this order.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3rd 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 28th May 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 , 3rd 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, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.