

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

On this the day of 28th December 2018

In C.G.No:111/ 2018-19/Ongole 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

Sri. P. Venkatadri,
22-6-8,
Wood Nagar,
Chirala,
Prakasham-Dist

Complainant

AND

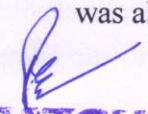
1. Assistant Accounts Officer/ERO/Chirala
2. Assistant Engineer/ O/Chirala D1
3. Assistant Divisional Engineer/Operation /Chirala
4. Divisional Engineer/O/Chirala

Respondents

ORDER

1. Sri. P. Venkatadri Advocate of Chirala presented a complaint through post and the same was registered as C.G.No.111/2018-19. The complainant in his petition has informed that he is having domestic service bearing No.4411142006635 since 1979 . The Assistant Divisional Engineer visited his house and estimated regularization of additional load. On receiving the notice he has sought for some particulars under the RTI Act. But no reply was received and all of a sudden Rs.7,616/- was included in the bill of 06/2018. He further pleaded that there was a Government order to collect only half of the estimated amount to avoid harassment to the consumers. Though he had preferred to pay half of the estimated amount, the local electricity officers have not accepted. Finally he had requested to intervene in the matter and direct the respondents to accept 50% of the assessed amount.

- Again the complainant in his letter dt : 30.06.2018 has informed that he had paid the total energy load charges of Rs.9,000/- under protest and the same was also informed to the concerned ADE and AAO/ERO. He had requested to

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treat his letter for conveying the voluntary payment and requested to issue instructions to refund the excess amount paid by him.

2. The Respondents No. 1,3 and 4 submitted their joint written submission wherein it was informed that the complainant premises was inspected on 03.11.2017 and observed that the complainant is having a connected load of 7.42 KW as against the contracted load of 0.52 KW and a case was booked for additional load regularization and notice was also issued for Rs.9,950/- But the same was not paid by the complainant up to 05/2018. As per the instructions issued by the higher authorities the additional load case amount was included in CC bills of 06/2018 and the same was paid by the complainant on 23.06.2018. The voluntary additional load regularization scheme is not applicable to the complainant as the additional load regularization notice was issued in 11/2017 much before this scheme was announced.
3. The point for determination is whether the complainant is entitled for refund of 50% of the additional load amount as he had paid the total additional load amount under protest?

The case of the complainant is that additional load regularization notice was issued to him for which he has sought some particulars under the RTI Act. But without considering his application the respondents have included the additional load amount in the bill. Though he is entitled for regularization of additional load under voluntary disclosure, he has paid the total amount under protest and requesting to refund the excess amount paid by him.

In accordance with the provisions contained in Clause No.12.3.3.1 (1) “ One month notice shall be given to regularize the connected load or part of additional load as per the requirement of the consumer or to remove the additional connected load. If the consumer desires to continue with the additional connected load he shall pay the required service line charges, development charges and consumption deposit in accordance with the format prescribed in Appendix IX. However if the consumer opts to remove the additional connected load and if the additional load is found connected during subsequent inspection penal provision will be invoked as per rules in vogue”

In accordance with Clause No. 12.3.3.1 (2) of GTCS says “Service of consumers who do not get the additional loads regularized shall be disconnected immediately on expiry of notice period and these services shall remain under disconnection, until they are regularized.”

In the instant case the additional load was detected on 03.11.2017 and the said 30 days will expire by 02.12.2017. Though the complainant has sought for certain information under RTI Act the respondents failed to furnish the requisite information to the complainant. As

