

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

On this the day of 08th March 2019

In C.G.No:136/2018-19/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. B. Kalyan Singh ,
S/o. Anantharam Singh,
1-203-A-12,
SC, BC Colony,
Markapur,
Prakasham-Dist

Complainant

AND

1. Assistant Accounts Officer/O/Markapur
2. Assistant Engineer/ O/Markapur
3. Assistant Divisional Engineer/O /Markapur
4. Divisional Engineer/O/Markapur

Respondents

ORDER

1. The case of the complainant is that AE/DPE has conducted inspection of his domestic service bearing No.4222101008942 on 05.02.2018 and noticed additional load was connected and accordingly he had informed that a notice will be sent to him for regularization of additional load. But no notices were received. Then he had contacted the lineman about the additional load notice. But the lineman told him that there is no such notice. Again he had approached the sub engineer and enquired about the notice. The result is the same. In spite of his repeated approaches to the office, the officers have informed him that there is no such notice. But suddenly an amt of Rs.2,950/- was included in the bill Dt : 21.06.2018. On his enquiry the AE and ADE have also not replied properly. His request to regularize the additional load under voluntary disclosure scheme extended by Hon'ble APERC was denied by the officers and insisted him to pay the entire amount. In spite of their indifferent attitude, being a responsible customer of the Licensee he had paid an amt of Rs.1,650/- on 23.06.2018 vide receipt No. 0961775. Finally he had requested to withdraw the additional load amount of Rs.2,950/- un-

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authorizedly included in the CC bill without issue of the notice and to regularize the additional load amount paid by him.

2. None of the respondents have submitted written submission on the complaint.
3. The complainant again in his letter dt : 28.11.2018 has informed that the respondents are levying delayed payment surcharge on the additional load amount which was included un authorizedly without issuing notice and increasing the bills month after month. He has pointed out that the acts of the respondents are arbitrary, illegal and against the principles of natural justice. He also informed that he had received a letter from respondent No.1 on 27.11.2018 wherein the respondent has informed that as per point No..3 of Memo No. CGM(R&IA)/GM (R)/SAO ® /AAO (R)/JAO (LTI) /F. Mats/D.No.911/18 Dt: 21.06.2018 the balance of MATs amount shall be collected even though the consumer had paid through voluntary scheme since the scheme was introduced after booking of the case and requested the complainant to pay the balance amount of Rs.1,300/-
4. The points for determination are whether :
 1. Respondents are entitled to include the additional load charges in the CC charges without issue of notice?
 2. Respondents are entitled to insist the balance 50 % of the additional load charges though the Hon'ble APERC has issued orders for collection of 50% of the approved development charges only?

The provisions of clause 12.3.3.1 of GTCS is as follows:

12.3.3.1. Where the total connected load is 75 HP/56 KW or 150 HP in cases of LT Cat- III (B) or below at the time of detection:

- i) One month notice shall be given to regularize the additional 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 provisions shall be invoked as per the rules in vogue.
- ii) 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.

