

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

On this the day of 4th June'2019

In C.G.No:67/ 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

M/s. Balaji Stone Crushers,
Nayunipalli,
JMP Agraharam,
Martur,
Prakasham-Dist

Complainant

AND

1. Senior Accounts Officer/O/Ongole
2. Superintending Engineer / O/Ongole
3. Chief General Manager/R&IA /Tirupati

Respondents

ORDER

1. Director Administration APERC enclosed a copy of representation received from M/s. Balaji Stone Crushers Prakasham Dt. with a request to take the representation on record, dispose it on merits and send copy of the order for record at APERC end. The same was registered as C.G.No.67/2018-19 of Ongole Circle. The complainant A. Srinivasa Rao in his representation has stated that he is having HT service No. Ongole - 356 in the name of M/s. Balaji Stone Crushers, JMP Agraharam, Martur. The said service connection was under bill stopped since last 5 years and the crusher is not in running position. But the bills are continued to be issued to Rs. 14,94,316/- including FSA surcharges, penalty etc., He has requested the Licensee to revise the bills for actual amount payable duly deducting FSA, surcharges so as to revive the service and to run the stone crusher for the livelihood of his family. He has sustained severe financial crisis and huge loss due to un-season. Finally he has requested to issue directions to revise the amount payable by him.
2. Respondents No. 1 and 2 filed written submission wherein :

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DESPATCHED
DATE 11/6

A) They have submitted that the service under question was released on 07.6.2010 with a Contracted Maximum Demand of 200 KVA under HT Cat -1(A) for Stone Crusher. CC charges bills were issued as per the tariff rates approved by Hon'ble APERC from time to time. But the complainant has not paid the CC charges regularly. Hence the service was disconnected on 01.11.2016 and issue of bills was stopped in 03/2017 after adjusting the security deposit. Form A notice was also issued under RR Act (Revenue Recovery Act) for Rs.9,78,672/-

B) The complainant has submitted a representation to waive off the monthly minimum charges raised beyond the disconnection period and arrange reconnection of supply. Proposals were submitted to Corporate Office/Tirupati for according approval.

C) The Corporate Office has accorded approval for waiver of minimum charges during disconnection period beyond 4 months from the date of final disconnection duly collecting the following amounts:

- i) Arrears outstanding as on the date of disconnection after adjustment of Security deposit Rs. 9,78,672/- shall be paid along with interest.
- ii) Monthly minimum charges for 4 months from the date of disconnection i.e. from Dec'2016 to Mar'2017 amounting to Rs. 4,47,918/- without interest.
- iii) Security deposit for the contracted load required now, since the security deposit paid earlier was adjusted against CC charges arrears.
- iv) FSA (Fuel surcharge adjustment) charges as per the Hon'ble APERC orders and as per the orders of Hon'ble Supreme Court from time to time.
- v) The audit shortfall amount if any shall be collected and court case amounts if any shall be collected subject to the outcome of court cases.
- vi) The complainant was permitted to pay the arrears in 5 equal installments
- vii) The complainant shall be requested to arrange payment as mentioned as per the installment sanctioned failing which action shall be initiated for recovery of arrears as per the provisions of R.R .Act.

D) As per the approval of the Corporate Office the complainant has to pay the following amounts:

Arrears outstanding as on the date of disconnection Rs.12,78,672/-

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(01.11.2016)

Interest on arrear from 01.11.2016 to 24.03.2018 Rs.3,25,422/-

Monthly minimum charges for 4 months Rs.4,47,918/-

Security Deposit for 200 KVA Rs.3,00,000/-

Less Security deposit already adjusted Rs. 3,00,000/-

Total

Rs.20,52,012/-

- E) Demand notice was issued on the complainant for payment of the above amount plus reconnection charges of Rs.2,000/- in 5 installments. But the complainant has not paid even the 1st installment till to date.
3. Respondent No.3 in his written submission has also reiterated all the above facts and requested to dispose the case.
 4. A personal hearing was conducted on 14.03.2019 at Chilakaluripet. The respondent No.1 attended. On behalf of the complainant one by name V. Badrinarayana stated to be representative of the complainant present and informed that the complaint will be withdrawn duly contacting the complainant.
 5. On 18.03.2019 the ADR/ O/ Martur was contacted over phone and directed to arrange representation of the complainant for withdrawal of the case. But no representation was received. The representative of the complainant was contacted at 1.30 P.M on 12.4.2019 by the Secretary/Forum to file withdrawal petition. He has informed that he will arrange the withdrawal petition before 16.04.2019. Either the complainant or representative has not filed any letter with a request to permit them to withdraw the case inspite of giving sufficient opportunity. So also they have not chosen to submit their version against the written submissions filed by respondents.
 6. In view of the above it is construed that the complainant has no interest in prosecuting the case and further since the respondents have rightly acted as per the guidelines of Hon'ble APERC, the complaint is liable to be dismissed.
 7. In result the complaint is dismissed.

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 4th June 2019.

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Sd/-
Member (Finance)

Sd/-
Member (Technical)

Sd/-
Independent Member

Sd/-
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.

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