

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

On this 29th day of March 2019

C.G.No:324/2018-19/Tirupati 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

B. Ramachandra Reddy,
Nadimpalli (V),
Polavaram (P)
Puthalapattu (M),
Chittoor Dt.

Complainant

AND

1. AE/O/Puthalapattu
2. AAO/ERO/Chittoor Town
3. ADE/RSD-2/Chittoor
4. DE/O/Chittoor

Respondents

ORDER

1. B. Ramachandra Reddy, Nadimpalli (V), Polavaram (P) Puthalapattu (M), Chittoor Dt. presented a complaint before this Forum through post on 09.10.2018. The Complainant in his complaint has informed that for his domestic service bearing No. 5111419000080 he is regularly paying CC bills but in the month of June/2018 an amount of Rs. 2,950/- was shown in the arrears column. When he enquired about the said amount in the ERO/Town/ Chittoor, he was orally informed that DPE wing had lodged a case towards additional load and the same was included in the bill. The complainant further stated that he had not received any notice from the department for regularisation of Addl. Load. He has paid the additional load charges under voluntary regularisation of unauthorised domestic loads and requested to withdraw the excess amount raised in the bill.
2. The Respondent No.1 in his written submission has informed that the complainant has paid additional load charges of Rs.2,450/- under the voluntary additional load regularisation scheme for service No. 5111419000080. But already a case was booked against the said service on 09.03.2018.
3. The point for determination is whether the complainant is liable to pay the balance additional load charges as per the demand raised by the respondents or not ?

The case of the complainant is that he has paid Rs.2,450/- for his service under voluntary regularisation of additional load scheme on 31.05.2018. But the respondents are insisting him to pay the balance additional load amount which is arbitrary and illegal.

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DESPATCHED

DATE 8/4

The respondents version is that since a MATS case was already booked against his service on 09.03.2018 the additional load charges were included in the bills during 06/2018 and for withdrawal of the MATS case the complainant has to pay the balance amount.

In accordance with the provisions contained in Clause No.12.3.3.1 (1) of General Terms and Conditions of Supply :

“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:

“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 09.03.2018 for service No. 5111419000080. 30 days period stipulated in the notice will expire by 08.04.2018. It seems that the respondents have not resorted for disconnection as per the notices issued and kept silent till June'2018. In the meanwhile the complainant as per the facility extended by the Hon'ble APERC for regularization of unauthorized additional domestic loads on voluntary basis paid the deposits for regularization. Since voluntary disclosure of unauthorized loads scheme is in force, the complainant is eligible to pay 50% of the development charges and thus paid the amounts accordingly for regularization of loads.

As could be seen from the account copy of the service connection downloaded from the APSPDCL website the contracted load of the complainant services is 3.28. If the physical connected load of the above service is over and above the contracted load the respondents are at liberty to issue a fresh notice for regularization of additional load. But the respondents are not entitled to collect the shortfall development charges as per the demand raised during 06/2018. Thus the point is answered accordingly.

4. In result the respondents are directed to withdraw the additional load amount included in the bills together with the belated payment surcharge if any levied on the complainant domestic service . Further the respondents are at liberty to issue a fresh notice if the connected load of the above services are found in excess of the contracted load.
5. Accordingly the case 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, the day of 29th March 2019.

Sd/- Sd/- Sd/- Sd/-
Member (Finance) Member (Technical) Independent Member 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 Vidhyut 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.