

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

On this the 4th day of June 2019

Inward No.993:/ 2018-19/Vijayawada 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. M. Badrinarayana,
4-237,
Penamaluru (P) & (M),
Krishna-Dist

Complainant

AND

1. Assistant Executive Engineer /O/Penamalururu
2. Deputy Executive Engineer/O/Kanuru
3. Executive Engineer/O/ Gunadala

Respondents

* * * * *

ORDER

1. Complainant presented a complaint stating that he has presented an application with regard to unauthorized load on 14.09.2018. But so far no action was taken. Hence he requested to take action against the concerned officers for deficiency of service. Complainant also enclosed the answer given by public information officer and DE/Technical to the effect that there are no unauthorized service connections and the distribution transformers are over loaded with authorized services and necessary improvements estimate will be prepared duly providing additional distribution transformer to give load relief to the existing distribution transformer.

Since the complainant requested to take action against the officers for deficiency of service and as the office made a note that the complaint is not in conformity with the provisions of Reg. 03/2016 a notice was issued to the complainant for hearing with regard to maintainability of the complaint before this Forum.

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2. On 05.03.2019 Complainant and EE/Op/Gunadala were heard through video conferencing. EE represented that there are un-authorized additional loads for service connection under the existing distribution transformer and they have served notices on them to regularize their additional loads but as the information furnished by EE/Tech to the application submitted by the complainant under RTI Act, 2005 is that the department undertook to prepare necessary improvement estimate and provide additional distribution transformer to give load relief to the existing DTR, EE /O/Gunadala was directed to submit detailed report on this aspect and the matter was posted to 26.03.2019.
3. Subsequently on 29.04.2019 the Forum received a down loaded copy report of EE/O/ Gunadala stating that the location was inspected and the contracted load on DTR is 96 HP whereas the connected load is 161 HP. The existing AGL consumers of SS-1 Penamaluru are utilizing unauthorized additional load of 64 HP. Notices were served on AGL consumers to regularize additional loads. Complainant herein has no service on his name but he is availing AGL supply from service No. 6521300003550 which is in the name of his father M. Rammohan Rao. Complainant herein is refusing to take notice on the ground that notice is in the name of his father though he is the beneficiary of the service and enjoying the service and utilizing the additional load. She further stated additional distribution transformer cannot be provided unless the additional loads under distribution transformers are regularized. The complainant is reluctant to pay additional load charges though he is utilizing the service with unauthorized load. But he is insisting to erect additional distribution transformer. Additional distribution transformer will be erected after regularization of all the additional loads.
4. After the receipt of the above report a notice was issued to the complainant to attend personal hearing through video conferencing on 07.05.2019. He was also informed about the date of personal hearing to his Mobile No. mentioned by him in the complaint.

Complainant neither attended the video conferencing nor sent any message requesting for adjournment.

5. The point for determination is whether the complaint is maintainable before this Forum ?

Complainant specifically requested the Forum to take disciplinary action for the deficiency of service of officers for non providing additional distribution transformer as informed to him by EE/Tech for his application for information filed by him under RTI Act. At the outset this Forum is not competent to take any action for deficiency of

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service against the employees of the Licensee. Taking disciplinary action against the employees rests with the Licensee only. The Forum can only award compensation to certain extent following the guidelines given in Reg. 07/2004.

6. The grievance of the complainant is that additional DTR was not provided as stated by EE/Tech in his reply for the information sought by him under RTI Act. When the fields under the DTR/SS-1/Penamalur were inspected it was noticed that there are unauthorized additional loads of 64 HP. The report of EE shows that complainant is not a registered consumer under the said DTR but he is a beneficiary of the service which is in the name of his father. The report of EE further shows that complainant father's service is also having unauthorized additional load. But he refused to take notice on the ground that service connection is in the name of his father. So it clearly shows that the complainant has no inclination to pay amount for additional load and to regularize his unauthorized additional load. But on the other hand he wants another DTR for the unauthorized additional loads without payment. Merely EE/Tech in his answer to the application filed under RTI Act by the complainant stated that they will provide additional DTR to give load relief to the existing DTR's itself is not suffice and binding on the Licensee to provide additional DTR that too for an unauthorized additional load.

It appears Complainant intentionally abstained the personal hearing through video conferencing with a view to avoid giving answers that may be put to him on the report of EE/O/Gunadala.

12.3.3 Additional Connected Loads detected in LT Services cases 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”.*

So the above provision clearly shows that unless the additional connected load is regularized no additional DTR can be provided and on the other hand the service is liable to be remained under disconnection until they are regularized. .

7. In view of the above reasons there are no merits in the complaint and liable to be rejected, accordingly the complaint is rejected.

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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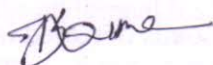
Member (Finance)

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.