

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 10th day of March 2020
C.G. No: 15/2019-20/Anantapur Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. Dr. R. Surendra Kumar

Chairperson
Independent Member

Between

K. Siva Prasad Reddy,
Bondaladinne,
Tadipatri,,
Anantapur -Dist .

Complainant

AND

1. Assistant Accounts Officer/ERO/Tadipatri
2. Assistant Executive Engineer/O/Tadipatri (R)
3. Deputy Executive Engineer/O/Tadipatri
4. Executive Engineer/O/Gooty

Respondents

ORDER

1. The case of the complainant is that an un-authorized amount of Rs. 32,475/- was included in February'19 CC bill . He had addressed a letter to SE/O/Anantapur to withdraw the Provisional Assessment Order. The case was booked without his knowledge. Principles of natural justice are not followed in this case. He did not participate in malpractice case. He is kidney patient undergoing dialysis. The un - authorized amount included in the CC bill may be withdrawn.
2. Respondent No.4 filed written submission stating that an unauthorized case was booked on 04.12.2018 vide Case No. DPE/GTY/TDPO/7777/18. As per the Provisional Assessment order, the consumer running Cat LT -1(B) domestic supply and utilizing it for non domestic purpose i.e Elain milk diary which comes under Cat -2. The final assessment orders were also issued vide DE/ASMT/TPT/KZ/FAO/F.N.12-

DESPATCHED

DATE

11/3

18/TDPO/D.No.1217/18 Dt: 24.12.2018. Based on the Final assessment order the AAO/ERO/ Tadipatri has raised the demand of Rs.31,823/- and included in CC bill of 02/2019. Regular CC bill amount for the month of 02/2019 Rs.652/- and demand raised amount Rs.31,823/-. The total amount of Rs.32,475/-. Consumer has not paid the regular CC bill and case amount.

3. Respondent No.1 also filed separate written submission on similar lines.
4. The point for determination is whether the alleged un - authorized amount included in the CC bill of February'2019 is liable to be withdrawn?

Complainant though stated that he has furnished the documents to prove his case, he has only filed copies of the letters addressed by him to DE/Assessments/Tirupati and SE/O/Anantapur Dt: 29.12.2018 and postal receipts to show that those letters were sent by way of registered post.

According to respondents, DEE/DPE/ATP inspected the premises on 04.12.2018 and found that complainant herein as tenant is running a shop. The inspection notes further shows that consumer has given a statement that he is utilizing the service since 4 years for shop purpose. The assessment period is about for 2 years and 5 months from 07.07.2016 to 04.12.2018. The copy of inspection notes shows that complainant herein present and signed in the inspection notes and in Column No. II at Page No.1 and Column No. X at page No.3, the signature of the complainant is in short form as 'kspr'. Complainant is disputing his signature in the inspection notes, but he did not choose to adduce any evidence to show that the signatures of complainant appearing in short form in the inspection notes do not belongs to him. So also consumer did not

produce any oral or documentary evidence to show that he is not running shop in the premises. In the absence of any evidence to show that no inspection is conducted by the ADE/DPE/ATP an adverse inference has to be drawn that complainant is disputing the inspection itself with a view to get over the case booked for malpractice. The record shows that DE/Assessments/TPT issued final assessment orders on 24.12.2018 i.e. prior to the letter said to have been addressed by the consumer to DE/Assessments and SE/O/Anantapur dt :29.12.2018. In the absence of any evidence that a false case was registered against the complainant under Sec.126, the complaint is not maintainable before this forum. Apart from this the forum may reject the complaint at any stage as per Clause No.10.2 (b) of Reg. No. 03/2016. There are no merits in the complaint.

5. In the result 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 10th March 2020.

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.