

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

On this the 28th day of June 2019
C.G.No:5/2019-20/ Guntur 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.Srinivasa Rao,
C/o. M/s. Tirumala Rice & Flour Mill.
D.No.7/794,
Pedamamidipadu,
Pasumarru
Guntur- Dist

Complainant

AND

1. Junior Accounts Officer/S-ERO/Chilakaluripet
2. Assistant Executive Engineer/O/ Chilakaluripet Rural
3. Deputy Executive Engineer/ Chilakaluripet
4. Executive Engineer/O/Guntur Town

Respondents

ORDER

1. Complainant. presented a complaint stating that he is having an industrial service connection bearing No. 1523271000481 (Old No) 9121171000481 (New No) . The contracted load of the service was shown as 62 HP in the old bills but soon after assigning of new service No. under CRDA circle the load was shown as reduced and insisting him to pay additional load amount. Hence requested to resolve the grievance.
2. Respondent No.1 filed his written submission stating that respondent No. 4 has issued a demand notice dt: 28.05.2018 on the complainant that he has exceeded 6.93 KW additional load over and above his existing load of 46.25 since the RMD was recorded as 53.18 KVA. As per the above notice the complainant was directed to regularize the additional connected load of 7 KW within 30 days from the date of serving of notice and if he is having any objection he may make representation to respondent No.4 within 10 days from the date of serving of notice. But the complainant has not paid the amount and not made any representation. Hence the additional load case amount was included in CC bill for the month of Aug'2018.

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DESPATCHED
DATE

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3. The respondents No.2,3 and 4 did not chose to file written submissions.
4. Point for determination is whether the respondents are entitled to include the shortfall amount based on the RMD?

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.*

As per the above provisions it is the bounden duty of the respondents to issue additional load notice on the complainant and if he fails to regularize the additional load, the service shall be disconnected immediately on expiry of the notice period. But in the instant case the respondents have not at all conducted the physical verification of the service connection as contemplated in Appendix IV(A) of LT inspection report as per GTCS. But additional load notice was generated based on the recorded maximum demand which is against the principles of natural justice and not sustainable.

5. In result the respondents are directed to withdraw the additional load amount included in the bill of 8/2018 together with belated payment surcharge if any levied on such amount immediately and compliance report within 15 days from the date of receipt of this order.
6. Accordingly the case is disposed off in the favour of complainant


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.

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DEPARTMENTAL
OFFICE
GUNTUR CIRCLE

This order is passed on this, the day of 28th June 2019.

Sd/- Sd/- Sd/- Sd/-
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(Chief General Manager/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 within 30 days from the date of receipt of this order

Copy Submitted to the Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills,
Lakdikapool, Hyderabad- 500 004.

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