

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

**On this the 25<sup>th</sup> day of September 2020**  
**C.G.No:230/2019-20/Kadapa Circle**

**Present**

**Sri. A. Sreenivasulu Reddy**

**Member (Finance)**

**Sri. V. Venkateswarlu**

**Member (Technical)**

**Sri. Dr. R. Surendra Kumar**

**Independent Member**

***Between***

K. Gangi Reddy,  
2/42,  
Kokatam,  
Kamalapuram,  
Kadapa –Dist

Complainant

***AND***

1. Deputy Executive Engineer/O/Yerraguntla  
2. Executive Engineer/O/ Proddatur

Respondents

**ORDER**

1. The case of the complainant is that DPE personnel registered 2 cases vide DPE/PRDT/YRGNT0/5936/16 Dt: 09.10.2016 and DPE/PRDT/YRGNT0/6052/16, Dt: 22.10.2016 and requested to delete second case registered against him.
2. Respondents No. 1 & 2 filed written submissions separately stating that a letter was communicated to Inspector of Police, Vigilance & APTS PS, Kadapa regarding the said grievance and requested to delete the F.I.R. for MATS Case No. DPE/PDTR/YRGNT0/6052/16 for an amount of Rs.13,788/-. Soon after deletion of the above case by the APTS wing, the case will be deleted in MATS by IT wing.
3. The point for determination is whether the Forum has got jurisdiction to entertain the case when the case was registered against the complainant under Sec. 135 of the Electricity Act, 2003?

The facts of the case shows that AAE/DPE-1/Vijayawada inspected the premises at 10.44 Hrs on 06.10.2016 for service connection No.2234124000149 of Kogatam Distribution

**DESPATCHED**

DATE

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and registered a case under Sec. 135 of the Electricity Act, 2003 and pilfered units assessed by him as 852 units and the amount assessed to be paid is Rs.4,679/- .

Again another case was booked by ADE/DPE-1/Vijayawada at 10.55 Hrs and booked a case for the same service No. i.e. 2234124000149 under Sec. 135 of the Electricity Act,2003 and the units pilfered assessed as 1320 units and total amount assessed to be paid by the complainant at Rs.13,788/-.

So the history shows that 2 cases were registered within a gap of 11 minutes on the same day by AAE/DPE-1/VJA and ADE/DPE-1/VJA and they assessed the pilfered units differently and levied penalty differently. Respondent No.1 addressed a letter to Vigilance& APTS/Kadapa requesting to delete F.I.R for MATS Case No. DPE/PRDT/YRGNT0/6052/16 for an amount of Rs.13,788/-.

***“Clause No. 10.2(b) of Reg. No.03/2016 is as follows:***

***The forum may reject the complaint at any stage under the following circumstances:***

***a).....***

***b) In cases which fall under Sec.126,127, 135 to 139 and 152 of the Act.***

***c).....***

***d).....***

***Provided that no complaint shall be rejected unless the complainant has been given an opportunity of being heard”.***

4. Personal hearing through video conferencing was conducted on 14.02.2020 and 16.06.2020. The complainant has not attended to the hearings and has not availed the opportunity extended to him to plead his version. Respondents who have attended to both the hearings, have reiterated their earlier versions. Since the complainant has not attended to the hearings it can be safely concluded that he has nothing to put forth before this Forum and hence the Forum has decided to resolve the case on the material available on record.
5. In this case already respondent No.1 addressed a letter to APTS wing /Kadapa for withdrawal of the F.I.R for MATS Case No. DPE/PRDT/YRGNT0/6052/16 and it is also stated by Respondent No.1 in his written submission as soon as the F.I.R is deleted, MATS case will be deleted by IT wing. So this Forum has no jurisdiction to entertain any complaint on the above issue. Since complaint is registered against the complainant for pilferage of electricity and this

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Forum is competent to reject the case at any stage as per the Clause referred above. The Forum is of the opinion that the complaint is not maintainable and liable to be rejected.

6. In the result complaint is rejected.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3<sup>rd</sup> 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.

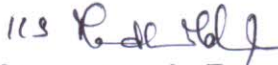
This order is passed on this, the day of 25<sup>th</sup> September 2020.

Sd/-  
Member (Finance)

Sd/-  
Member (Technical)

Sd/-  
Independent Member

Forwarded By Order

113   
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 , 3<sup>rd</sup> 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, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.