

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

**On this the 26<sup>th</sup> day of October 2019**

**C. G. No: 31/2019-20/Nellore 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~~**

V.Venkata Seshamma,  
W/o.Audi Seshaiyah,  
24-2-1022,  
Old Military Colony,  
Nellore.

Complainant

**AND**

1. Assistant Accounts Officer/ERO/Nellore Rural
2. Assistant Executive Engineer/O/Nellore Rural
3. Deputy Executive Engineer/O/Nellore Rural
4. Executive Engineer/O/Nellore Rural

Respondents

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**ORDER**

1. Complainant presented a complaint stating that she is having AGL service connection bearing No. 3511234000540 for 5 HP. The AGL bill is being issued under IT assessee . She was retired from service on 30.04.2016 and presently she is not an income tax assessee and hence she is entitled for free AGL service connection. She has also further submitted that the existing AGL service connection was obtained under one time deposit basis during 1991 and hence her AGL service connection is entitled for free supply during the entire life time. In spite of repeated requests and representations, the officers concerned have not transferred the AGL service connection from paying to free category. The complainant has also enclosed Photostat copy of the counter foil for an amount of Rs. 5,012/- dt: 15.02.1991 in favour of DE/O/Nellore. She has also enclosed one No. Photostat copy of Andhra Bank counter foil dt : 15.02.1991 for Rs.510/- in favour of

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**DESPATCHED**  
DATE 28/10

AAO/ERO/Nellore. Finally she has requested to arrange to transfer the AGL service from paying to free category and do justice.

2. Respondents No.1, 2,3 and 4 in their joint written submission have explained that the complainant has availed supply up to 2005 under free power scheme. The A.P. Government has announced AGL free power policy in the year 2005, based on the policy terms and conditions the above service was transferred to paying category as the complainant was an income tax assessee. The complainant has submitted a representation on 03.01.2013 and stated that she was retired on 30.4.2006 and not covered in income tax and hence requested to convert the AGL service from paying to free category. Proposals have been submitted to higher authorities and the same were returned as necessary documents were not produced by the complainant. The complainant is having arrears of Rs.15,750/- .
3. The complainant filed a notarized affidavit on Rs.100/- non judicial stamp paper stating that she has paid Rs.5,012/- and obtained AGL service connection as per the scheme announced by the electricity authorities for one time tariff scheme. On payment of Rs.5,012/- only service connection No. 3511234000540 was sanctioned. She further submitted that the payment receipts issued by the electricity department were fully damaged due to white ants. Since the AGL service connection was released under one time tariff scheme she is eligible for free supply for the entire life period. The department people without knowing the facts about the one time tariff have categorized the service connection under payment category. She has also indemnified if it is found later that she is not entitled for one time tariff free power supply she will pay the entire arrears as per the tariff order.
4. Point for determination is whether the complainant is entitled for one time tariff or not ?  
In the AP Gazette Part-II extraordinary published by APSEB on 17.04.1989 vide page No.28 and 29 of the said gazette it was ordered as follows :  
**Category – V(b) – LT Consumers :**  
Applicable for supply of energy for irrigation and agricultural purposes upto 75 HP and below.  
**Rates :**



Consumer shall pay electricity charges as shown below:

Rs. 50/ per annum per Horse Power of Contracted Demand or Connected Load whichever is higher.

**Note :** Agricultural consumers are permitted to use 3 pilot lamps of 5 watts each near the main switch as pilot lamps.

Supply to the LT Agricultural service will be suitably regulated as notified by Board from time to time.

“ Consumers under the category may, at their option and in lieu of the tariff rates mentioned above and all other monthly or annual payments under the existing tariff, make a onetime payment at the rates detailed below :

**H.P. of Pumpset**

**One time Tariff to be paid**

i) Up to 5 HP

Rs. 1,000/- per H.P

ii) 5 HP to 7.5 HP

Rs. 1,500/- per H.P.

iii) Above 7.5 HP.

Rs. 2,000/- per H.P.

The payers of Life Time Tariff need not pay possible increase in the Electricity Tariff until the agreement is terminated “

The respondents neither disputed nor filed any documentary evidence confirming that the complainant has not paid the deposits under one time tariff scheme for obtaining AGL service connection. The respondents have also failed to prove that the Photostat counter foils are whether genuine one or not. The complainant has stated to have paid Rs.5,012/- in favour of DE/O/Nellore on 15.02.1991. The respondents have also not filed any documents that the complainant is not entitled for one time tariff for the AGL service connection. Further the respondents have admitted that the complainant has availed free supply up to 2005 and thereafter only the said service connection was transferred to paying category.

5. Since the above said A.P. Gazette clearly extended option to the AGL consumers to opt for one time tariff, in lieu of that tariff rates it can be said that the complainant has availed the opportunity and paid the deposits for 5 HP on 15.02.1991. Taking into consideration the notarized affidavit filed by the complainant, the Forum is of the concerted opinion that the complainant has opted for one time tariff and paid Rs.5,000/- under the scheme for obtaining 5 HP AGL service connection. Thus the point is answered accordingly.

6. In result the respondents are directed to re-categorize the AGL service connection from income tax assessee to free category under one time tariff scheme as stipulated in the A.P. Gazette dt :17.04.1989 and withdraw the entire CC charges demand raised and compliance reported within 15 days from the date of receipt of this order.
7. Accordingly the complaint is disposed off in favour of the complainant.

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 26<sup>th</sup> October 2019.


Sd/-  
**Member (Finance)**

Sd/-  
**Member (Technical)**

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 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

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