

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

On this 30th day of November 2020

C.G.No:45/2020-21/ Anantapur Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao

Sri. V. Venkateswarlu

Sri. Dr. R. Surendra Kumar

Chairperson

Member (Technical)

Independent Member

Between

B. Prasad,

M/s. Nandini Rice Mill,

Pathakothacheruvu,

Guntakal,

Anantapur (Dt)

Complainant

AND

1. Assistant Accounts officer/ERO/Guntakal

2. Deputy Executive Engineer/O/Guntakal

3. Executive Engineer/O/Gooty

Respondents

ORDER

1. The case of the complainant is that he is having rice mill in Pathakothacheruvu in the name and style of Nandhi Rice mill with service No.7221438000504. The meter was burnt on 3rd July. There was no display in the meter on the date of recording the consumption in the month of July. The distribution transformer was under repair in the month of June and there was no supply for 20 days to the mill. They have utilized the power for running the mill for 10 days only for milling 751 bags. As the meter was burnt the meter reading was taken average for 7516 units and raised a bill for Rs.61,118/-. If minimum bill and utilized power consumption is added, the bill will not come more than Rs.14,500/-. The meter was changed on 20th July. Respondents raised bill for 16 days taking average of 1957 units and the consumption is 133 units for the remaining period.

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Respondents raised average bill for Rs.13,507/- in addition to the consumption. When he reported the matter to ADE^{01/907}, he recommended to revise the bill but ERO office did not take the recommendation of ADE. They have paid Rs.60,000/- in excess, hence requested to revise bill.

2. Respondent No.1 alone filed written submission stating that service was released in the month of 12/2002 with a contracted load of 80 HP in the name of M/s. Nandini Rice Mill. The service was billed under stuck up status in July' 2020. The old meter was replaced with new meter and billed under live status in August' 2020. The service was billed for 7516 units for an amount of Rs. 57,760/- taking average for three months.

DEE/OSD/Guntakal requested to revise the bill for 8000 units, accordingly the bill was revised and raised a bill of Rs.3,358/- in July'2020 vide RJ No.91/07-2020 as per tariff in vogue. This office issued bill to the consumer in 08/2020 to pay an amount of Rs. 80,557/- including demand of August' 2020 for Rs. 19,439/- The CT meter was burnt, no display and meter performance was satisfactory. Therefore an amount of Rs. 3,358/- which was raised in July' 2020 was withdrawn vide RJ No.92/09-2020.

3. Point for determination is whether the bills for the month of June'2020 and July'2020 have to be revised?

Complainant in his complaint stated that there was transformer problem in the month of June and there was no supply to the mill for about 20 days. He also averred in the complaint that the meter was burnt on 4th July and the meter was replaced only on 20th July.

Respondents No. 2 and 3 i.e. Deputy Executive Engineer and Executive Engineer did not file any written submissions. Respondent No.1 though filed written submission did not specifically deny about the fact there was no power supply for about 20 days in the month of June on account of failure Distribution transformer and the burnt meter was

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replaced only after 15 days. Respondents No.2 and 3 are alone competent to speak about these facts. But they did not choose to file written submission at all. There is no evidence on the record to show whether the procedure contemplated under Clause No. 7.5.2 of GTCS is followed in this case or not? Clause No. 7.5.2 of GTCS is as follows:-

7.5.2 Burnt Meters: -

“In case a meter, on a complaint from the consumer or upon the inspection of the Company is found burnt, the Company shall restore the supply immediately by passing the burnt meter after ensuring that necessary preventive action at site is taken to avoid future damage. Further, a new meter shall be installed by the Company within the timeframe specified in the ‘Standards of Performance’ Regulation issued by the Commission, duly obtaining the consumer’s consent to pay the computed consumption charges for the non-metered period. The Company shall replace the burnt meter on payment by the consumer within 7 days, if the burning of the meter is attributed to the consumer. The payment can be made in cash or by Demand Draft at the consumer service centre / ERO”.

If the above said procedure is not followed, there will be no power to the rice mill and raising a bill when no power is supplied by the respondents on average as per Clause No. 7.5.1.4 of GTCS is not legally sustainable. When there is no power, complainant is only liable to pay minimum charges. When respondents fail to file written submission specifically denying the averments made by the complainant in his complaint, the version made by the complainant has to be taken into consideration and it has to be held that there was no supply for the complainant for about 20 days on account of failure of Distribution transformer in the month of June and 15 days on account of non-replacement of burnt meter in the month of July. Respondents are entitled to collect minimum charges only for the above said period when they fail to provide electricity to service of consumer.

Respondents are only entitled to levy only minimum charges for 20 days in the month of June'2020 and 15 days in the month of July'2020 and for actual consumption charges recorded for the remaining period in those two months. The point is answered accordingly.

4. Hence respondents are directed to revise the bill as per the above observations within 15 days from the date of receipt of this order and submit compliance report within 15 days thereon.

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.

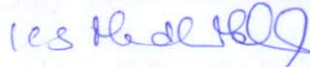
This order is passed on this, the day of 30th November'2020.

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 , 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.