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

On this the 3rd day of November 2020

Complaint ID: 47022020 /2020-21/ Guntur Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao

Sri. V. Venkateswarlu

Sri. Dr. R. Surendra Kumar

Chairperson

Member (Technical)

Independent Member

Between

N.Sambrajyam,
Harichandrapurm,
Thullur (M),
Guntur Dt.

Complainant

AND

1.Assistant Accounts Officer/ERO/Rayapudi
2.Deputy Executive Engineer/ Guntur Rural-2
3.Executive Engineer/O/Amaravathi

Respondents

ORDER

1. The present complaint is filed that service No. 9232206000275 is released under domestic category. In the month of January her neighbour requested to use it for the motor on the ground that neighbour's generator is having problem. Since then neighbour is using it. Prior to that the meter reading was 1150 units. She received a notice that the supply is used for commercial purpose for which she agreed. But she was not able to understand how the inspecting officer assessed 1447 units when the meter reading is below 1400 units as on 10.01.2020. Only 200 units was used for commercial. Hence requested to correct the same.

Since the averments of the complaint shows that a case under Sec.126 of the Electricity Act, 2003 for indulging in un- authorized use of Electricity, notice was issued for hearing maintainability of this case before the forum.

DESPATCHED

DATE Sambrajyam 47022020

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2. Consumer was informed about hearing the case through video conferencing by phone by the staff of the forum on 10.08.2020 and on 25.08.2020 .Complainant when contacted over the phone on 25.08.2020 at 11.40 A.M., it was represented that he will not attend the video conferencing. Complainant failed to attend the video conferencing.
3. Point for determination is whether the complaint is maintainable before this forum when a case is registered against the complainant under Sec. 126 of the Electricity Act, 2003?

The averments of the complaint clearly shows that a case for indulging unauthorized use of electricity was registered against the complainant.

Sub Clause (b) of Clause No. 10.2 of Reg. 03/2016 provides that the forum may reject the complaint at any stage under the following circumstances which is as follows:

Clause No. 10.2:” The forum may reject the complaint at any stage under the following circumstances:

a).....

b) In cases which fall under Sections 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”.

Since the case is registered against the complainant under Sec. 126 of the Electricity Act, 2003 and as the complainant is questioning about the quantum of assessment imposed by investigating officer and as there is an opportunity to the complainant to prefer an appeal to appellate authority under Sec. 127 of the Act. Hence the forum is of the opinion that the complaint is not maintainable before the forum and liable to be rejected.

4. In the result the 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.

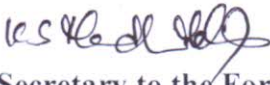
This order is passed on this, the day of 3rd November 2020.

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.