

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

On this the 09th day of March' 2021
Complaint ID No:162102020 /2020-21/ Ongole Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. R.M.M. Baig
Sri Y.Sanjay Kumar
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Finance)
Member (Technical)
Independent Member

Between

E. Srinivasa Rao,
Punuru(V),
Yaddanapudi (M),
Prakasam Dist.

Complainant

ORDER

1. The case of the complainant is that he is resident of Punuru (V) of Yeddapanudi (M) Prakasam Dt. He is having domestic service connection No.4621209000262. About 2 months back, when they have not received electricity power supply to the house, it was directly given to him. They went to livelihood to another district and they do not know that power supply was given directly. Penalty of Rs. 1, 04,654/- was imposed for connected load of 4800 W. But there is no such voltage in their house. Hence requested to revise the bill. He also stated that he paid Rs.50,000/- and compounding fees of Rs.5,000/- and total of Rs.55,000/- by borrowing the amount. Hence requested to consider and revise the bill. Complainant also enclosed Provisional Assessment notice for theft of energy.
2. Since complainant filed this complaint against imposing of penalty for registering a case under Section. 135 of the Electricity Act, 2003. This Forum entertained a doubt in respect of maintainability of complaint. Hence posted for hearing through video conferencing on 15.02.2021. Heard complainant. Complainant reiterated the same version.

DESPATCHED

DATE

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3. The point for determination is whether this complaint is maintainable before the Forum when the case is registered against the service under Section.135 of the Electricity Act, 2003 ?

The Provisional Assessment Notice issued for theft of electricity dt : 27.08.2020 shows that complainant bypassed the energy meter for the part of electric load and involved in theft of energy. Hence pilferage of energy case is booked. It is also mentioned in the notice that a criminal case on account of theft of energy is registered against the consumer, he may approach SHO/Vigilance/APTS Team/Ongole for paying the compounding fee of Rs.5,000/- for closure of criminal case as a first offence as per Section. 154 of the Electricity Act,2003. Complainant has admitted in his complaint that he paid compounding fee.

This Forum may reject the complaint at any stage as per Clause 10.2(b) which is as follows:

“Clause No. 10.2: The Forum may reject the complaint at any stage under 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”.

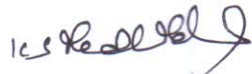
4. Since the case is registered against the complainant for theft of energy and already compounding fee is paid by the complainant, we are of the opinion that there no grounds to proceed further and the complaint is not maintainable, the complaint is liable to be rejected. The point is answered accordingly.
5. 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 09th March'2021.

Sd/- Sd/- Sd/- Sd/-
Member (Technical) Member (Finance) 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 (O&M)/ Operation)/ CGRF/ APSPDCL/ Tiruati.

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.