

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 31st day of January' 2022
C.G.No.56/2021-22/Tirupati Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. Y. Sanjay Kumar
Sri. K. Ramamohan Rao
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Technical)
Member (Finance)
Independent Member

Between

B.Manohar
S/o Late Srinivasulu,
D.No:II, 250-B-8-5-A,
Raja Nagar,
N.G.V.Palli, Madanapalli,
Chittoor –Dist.

Complainant

AND

1. Assistant Accounts Officer /O/Madanapalli
2. Dy. Executive Engineer/O/Madanapalli
3. Executive Engineer/O/Madanapalli

Respondents

ORDER

1. The case of the complainant is that he is running power loom small scale industry having Service No. 5211300048817. On some occasions department personnel used to report that he is using additional load and collected amount for additional load. In September also he has paid additional load amount. Again he was informed that he has to pay ₹. 42,352 on account of audit objection. During the last year the unit was stopped due to Covid-19 but department personnel are saying that he used more electricity. Though this fact was brought to higher officials but no action was taken. The industry is running on the subsidy provided by the government. He is not a position to

DESPATCHED

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pay the amount due to financial constraints. Hence the bill raised for ₹. 42,352 against the service No. 5211300048817 may be set aside.

2. Respondents No 1 and 3 filed written submission stating that during the internal audit, auditors issued audit para for shortfall to be billed from 7/2020 to 4/2021 against SC No. 5211300048817 for ₹.42,059 stating that on review of the MRB (Meter Reading Book) and BBA(Bill Book Abstract), it was found that RMD exceed 10 HP every month, but billing done under small scale industry. As per Tariff order small scale industry to be billed under 10 HP after that billing should be done at LT-3 Industrial tariff. But it is billed under small scale industry category. Hence shortfall has to be billed from 7/2020 to 4/2021. The recorded consumption is 13808 and the shortfall to be billed is 42,059.
3. Personal hearing through video conferencing was conducted on 10.1.2022. Complainant present. AAO, Dy.EE/O/Madanapalli present and heard both sides.
4. The point for determination is whether bill issued for 42,059 basing on the internal audit objection on the ground that RMD of the unit exceeded 10 HP for the months from July' 20 to April'21 is valid ?

Complainant represented that his industry is a small scale industry running with subsidy. Originally the service was obtained for 3 KW. Additional load case was booked on 2 occasions for 2 KW and 3KW respectively. Total contracted load is 8 KW. He never exceeded 10 HP at any time.

On the other hand respondents represented that the contracted load is 7.5 KW i.e. 10 HP. But every month exceeded CMD. The internal auditors took objection that service has to be billed under LT-3 Industrial tariff but not under small scale Industry as the connected load exceeded 10 HP. Units which exceeded a connected load of 10 HP shall be billed at the tariff specified for Cat -III A : Industry(General) LT as per the tariff order for the

F.Y.2020-21. In this case, inspection was made by Mr. R.L. Narasimha Reddy, AE/Madanapalli/ North Section for the service No.5211300048817 on 28.10.2021 and found the connected load as 8HP plus 16 KW against the contracted load of 5 HP and recommended for regularization of additional load of 5 HP. The copy of assessment calculation for development charges shows that a notice was issued for payment of ₹.7518 for regularization of additional load of 5 HP or 4 KW and on that day the connected load was 9.383 HP. The bill information shows that the RMD recorded in the month of January' 2020 was 14.01, in February'2020 was 14.08. Tariff was changed due to internal audit objections that this service should be billed under Cat-III (A) Industry (General) on the ground that RMD exceeded more than 10 HP. After receipt of audit objection, Respondents did not physically inspect and determine the connected load of the unit. The bill information given above clearly shows that when inspection was conducted on 28.01.2020, the RMD recorded in January'20 was 14.01 and in February'20 it was 14.08. So on the date of inspection the connected load is less than 10 HP, but the RMD was around 14HP. Respondents did not explain how could be RMD is 14 HP when connected load is less than 10 HP in the month of January'2020. No authority is placed before this Forum that unit has to be billed under Cat- III -A Industry (General) only on the ground that RMD exceeded. The tariff order clearly shows that units with connected load up to 10 HP are to be billed under Cat- III (D) and if the connected load exceeds 10 HP, then they have to be billed under CAT- III (A) Industry (General) LT. In the absence of any provision authorizing the respondents to bill the service under Cat- III A only on the basis of exceeding of RMD and that too basing on the internal audit objection, respondents are not entitled to charge the unit under Cat-III (A) Industry(General) and the procedure adopted in this case is erroneous .

5. Respondents are only entitled to bill the units under Cat- III (A) only if they found the connected load is 10 HP and that too after giving notice. So the bill raised in this case is not valid, sustainable and liable to be set aside. The point answered accordingly.
6. Respondents are directed to revise the bill within 15 days from the date of receipt of this order and submit compliance report within 15 days thereon.

Sd/- Sd/- Sd/- Sd/-
Member (Technical) Member (Finance) Independent Member Chairperson

Forwarded By Order

(Signature)
Secretary to the Forum

This order is passed on this, the day of 31st January'2022

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.

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.