

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 14th day of March' 2022
C.G.No.53/2021-22/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. Rajasekhar
C/o.M/s. Shree Comforts,
Plot No.115,
S.V. Auto Nagar,
Tirupati,
Chittoor Dt.

Complainant

AND

1. Assistant Accounts Officer /O/Tirupati Town 2-
2. Assistant Executive Engineer/O/Damineedu
3. Deputy Executive Engineer/O/Tirupati-2
4. Executive Engineer/O/Tirupati Town

Respondents

ORDER

1. The case of the complainant is that he is the Managing Partner of M/s. Shree Comforts, a cottage industry which is manufacturing pillows. They are having service No. 5534503007767 in the name of the firm and the industry is in a rented house at D.No.103 S.V.Auto Nagar Renigunta Road, Tirupati.

They used to receive monthly charges of ₹.500 per month but from February' 21 to July'21, he received bill between ₹.9,000 to ₹.12,000. When he received first bill in the month of February'2021 for ₹.9,665, he informed the same to

DESPATCHED
DATE 15/3

Mr. Muneendra, Lineman. Again he received bill for ₹.9,754 in the month of March. Then he met AE, Jeevan Reddy who in turn advised him to pay meter testing fees. Accordingly he paid ₹.850 and the old meter was replaced with new meter, but he received a bill for ₹.10,941. In the meantime his mother was suffered with paralysis, he did not pursue the issue. Again a bill of ₹.12,027 received in the month of June'2021 and in total he received bill for an amount of ₹.52, 223. Hence he locked the unit and requested lineman to disconnect the service temporarily. Accordingly the service was disconnected. He is residing in the house of T. Anand which is having SC No.5534503005330. There are other services vide SC No's. 5534503005474, 5534503005475 & 5534503005476 in the name of M/s. SLV Auto Liners. All the above said services are linked with house owner Aadhar card. There are no dues on these services. On 18.10.2021, the service connection for his house was disconnected. When he met AE/O/Damineedu in his office, he received a notice showing that all the services including his rented house and his cottage industry are in same building and are linked with one Aadhar card. AE represented that as the services are linked to his Aadhar card, the services were disconnected. He applied to AE on 20.10.2021 to furnish account copy of the industry and requested to delink his Aadhar card with the service number located in his rented house, but the same was not considered. When the fact was brought to the house owner, house owner got linked his Aadhar card to his house connection. Again the service was disconnected on 14.10.2021. He

presented a complaint to DEE on 17.10.2021 for resolving the grievance of his closed cottage industry. On 26.11.2021 the service connection to his house was removed. Hence requested to restore the service connections and resolve the bill dispute with regard to the cottage industry.

2. Complainant also filed an application for restoration of domestic services and this forum issued interim directions to restore the service connection No's. 5534503005330, 5534503005474, 5534503005475, 5534503005476, if they are disconnected only for nonpayment of due amount against SCNo.5534503007767 and complainant is advised to pay $\frac{1}{4}$ of disputed amount of ₹.14,112 within 7 days from the date of receipt of order and on such payment the service No.5534503007767 shall be restored as per orders in IA .No.3 Dt : 29.11.2021.
3. Respondents filed written submission stating that consumer paid LT meter testing fees for service No.5534503007767 on 01.03.2021 stating that he has got high electricity bill of ₹.9665 during February'2021. The meter was replaced on 2.03.2021. The meter was tested in LT Lab on 08.04.2021 and it was found that the meter was healthy. After meter was replaced the consumption from April'21 to June'21 was 1072, 1001 and 1147 respectively. The service was disconnected on 15.07.2021 due to non-payment of CC charges and accumulation of arrears amount of ₹.52,223. The notice of disconnection was issued to the consumer for disconnection of the live services on 18.10.2021 linked with his Aadhar Number. Consumer acknowledged the notice on

7 days. After lapse of 7 days neither the complainant has paid nor represented to the office. As a result the other live services were disconnected.

As per the interim directions of this Forum, Sc. No's. 5534503005330, 5534503005475, 5534503005476 & 5534503005474 were restored. Consumer has paid ¼ amount of ₹.14,112 on 02.12.2021 for service No.5534503007767. But consumer has represented that he did not want to restart M/s. Shree Comforts unit and supply is not necessary for the present. Accordingly supply was not restored to service Number.5534503007767.

4. Personal hearing through video conferencing was conducted on 10.01.2022. Dy.EE/Tirupati-II, AAO present on behalf of Respondents. Complainant present. Heard both sides

5. The points for determination are: -

1. Whether CC bills for service 5534503007767 are liable to be revised from the month of February'2021 to June'2021?
2. Whether respondents are entitled to disconnect the service No's 5534503005330,5534503005475,5534503005474,5534503005476 on the ground that complainant failed to pay CC charges for Service No. 5534503007767?

Point No.1:

The contention of the complainant is that the cottage industry was temporarily closed, kept under lock and key on account of Covid-19, no power supply was utilized but he received abnormal bills from February'2021 to July'21. He applied for testing of the meter and the meter was replaced but even then he received abnormal bill in the month of April'2021.

On the other hand the contention of the respondents is that when the complainant approached complaining that he received abnormal bills in February'2021, Complainant was advised to pay fees for testing the meter and he paid the amount on 1st March'2021 and the meter was replaced on 02.03.2021. The meter was tested in LT lab on 8.04.2021 and found it as healthy.

Respondents further stated the fuse carrier was removed in the presence of consumer and found that no electricity was passing and no consumption is recorded and the same was shown to the complainant. They also further stated that the abnormal reading may be due to defect in the internal wiring or due to consumption.

Complainant though denied that he used power supply, but he did not file any other document to substantiate that the industry was closed. Complainant did not state that he got verified the internal wiring to ascertain whether there is defect in the internal wiring or not even after the field staff advised him to verify the condition of internal wiring.

Subsequently Complainant filed an application before the forum that during personal hearing there was disruption for four minutes in the video conferencing and he did not hear the contention of APSPDCL during that time.

Hence, with a view to give an opportunity to represent his case, the matter was again heard on 14.2.2022. Complainant stated that meter was not tested in the premises by removing the fuse carrier in his premises and he had already got checked internal wiring. In view of his representation, this forum directed the Respondents to get the reading of meter by installing Check meter for 72hrs. And submit report. Complainant was also advised to check the internal wiring.

DEE/Operation-2/Tirupati submitted a report on 4.3.2022 that as per the orders of this forum check meter was provided and recordings were taken for three days which are as follows:-

Particular	Date	MeterDetails	OMR	CMR	CONSUMPTION
Existing Meter	17.02.2022	Sl.No.8078018, Make:Avon, Cap:3Ph (5-30A)	3503	3597	94Units
Check Meter	17.02.2022	Sl.No.3850381, Make:HPL, Cap:3Ph (5-30A)	2	96	94Units

He further stated that the recordings were noted down in the presence of consumer and obtained acknowledgement. He further stated that there is defect in the internal wiring beyond the meter.

After receipt of the report, Complainant was contacted by the Secretary of this forum on 7.3.2022 @ 11.50A.M. And Complainant admitted that the recording of units in existing meter and check meter were taken in his presence and he has no objection on the report.

The report of DEE/O-2/TPT dated: 4.3.2022 shows that there is no defect in the replaced meter and abnormal recording of units is only due to defect in the internal wiring beyond the metering point. It is an admitted fact that consumer is responsible for internal wiring beyond the metering point. Since there is no defect in the old meter or replaced meter, Consumer is liable to pay as per the units recorded in the both the meters. There are no grounds to interfere and revise the CC bills issued by the Respondents. Complainant is liable to pay the amount as per CC bills. The point answered accordingly.

Point No.2 :

The service No. as per the ledger service No.5534503005330 is in the name of T. Anand under Cat-II. Service No's 5534503005474, 5534503005475, 5534503005476 are in the name of M/s. SLV Auto Liners under Cat-I. There are no outstanding dues against the above 4 services. Respondents did not give any explanation, how a domestic service was released in the name of M/s. SLV Auto Liners. The service No.5534503007767 under Category-II was released in the name of M/s. Sree Comforts. There is outstanding amount of ₹.56,446 against this service number. Respondents

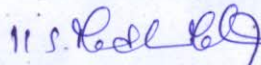
failed to explain how one Aadhar card was linked for all these services when the service No.5534503007767 is in the name of M/s. Sree Comforts and three services are in the name of M/s.SLV Auto liners and one service is in the name of T.Anand. The contention of respondents that notice was issued to the complainant that if outstanding dues against service No.5534503007767 are not paid within one week, the other services mentioned in the notice will be disconnected and complainant accepted for it, but not paid the amount, hence services were disconnected is not tenable. No authority is placed by the respondents that they are empowered to disconnect other services in the name of other persons for the outstanding dues of a partnership firm. Issuing of notice to the complainant when he is not the owner of the 3 domestic services and service released under Cat-II in the name of T.Anand (M/s. SLV Auto Liners) for the outstanding dues of M/s. Sree Comforts for which complainant is a Managing Partner of that partnership firm is illegal, arbitrary and un-sustainable. Basing on the illegal notice, disconnection of services is illegal. Respondents have no authority to disconnect the other services in the name of others for non-payment of dues by another service in the name of another person. Since the services were already restored as per the interim orders by this forum in I.A.No. 03/2021-22 dt: 29.11.2021 no further orders need to be passed. The points answered accordingly.

In the result Complaint is dismissed so far the relief prayed for revision of the CC bill is concerned. So far the relief for restoration of domestic services in the name of others is concerned,

already services were restored as per the orders in I.A.No.3/2021-2022/C.G.No.53/2021-2022/Tirupati circle of this Forum and no further orders need to be passed, Accordingly the complaint is disposed off.

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

Forwarded By Order


Secretary to the Forum

This order is passed on this, the day of 14th March'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.