

**BEFORE THE FORUM**  
**FOR REDRESSAL OF CONSUMER GRIEVANCES**  
**IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI**  
**On this the 19<sup>th</sup> day of July' 2022**  
**C.G.No.17 /2022-23/ Kurnool Circle**

***Present***

**Sri. Dr. A. Jagadeesh Chandra Rao**  
**Sri. K. Ramamohan Rao**  
**Sri. S.L. Anjani Kumar**  
**Sri. Dr. R. Surendra Kumar**

**Chairperson**  
**Member (Finance)**  
**Member (Technical)**  
**Independent Member**

***Between***

M/s. Sai Sloka Granites ,  
Rep By. G.Kalyani (Proprietor)  
9-19-5-11  
Gandhi Nagar,  
Dhone,  
Kurnool Dt.

Complainant

***AND***

1.Executive Engineer/O/Dhone  
2.Superintending Engineer/O/Kurnool  
3.Senior Accounts Officer/O/Kurnool

Respondents

\*\*\*\*

**ORDER**

1. The case of the complainant is that the complainant is having HT Service KNL-447 of M/s. Sai Sloka Granites, U.Kothapalli, Dhone(M), Kurnool (Dt) and due to power holidays, supply extended from substation only 2 phase. Due to the power fluctuations, she could not able to maintain capacitors. Hence she got huge amount of CC bill for the month of 5/2022. She never received the huge amount of CC bill. from the date of factory running date to till to date ( since 8 years ). The department did not resolve her grievance. Hence requested to resolve her case.
2. The case was registered as C.G.No.17/2022-23/Kurnool Circle and sent to respondents for written submissions.
3. SE/O/Kurnool has submitted written submission stating that the Consumer is having HT Service KNL-447 of M/s. Sai Sloka Granites, U.Kothapalli, Dhone(M), Kurnool (Dt).The present complaint is filed alleging that CC bill for the consumption of 04/2022 is of ₹ 4,43,940 ((Bill Amount is ₹4,17,414 after adjusted the ICD) and it is higher side due to higher consumption recorded in the meter.

**DESPATCHED**

2d07

According to the report of Dy.EE/O/Sub-Division/ Dhone after observing the MRI Data for this service is that 3-phase voltages are recorded normally during R&C period from 09.4.2022 to 30.04.2022 ( MRI Data was enclosed) .

On the report of the complainant, HT meters wing authorities along with Dy. EE/O/ Sub-Division/ Dhone attended for inspection of HT meters at the factory premises on 16.5.2022 in the presence of concerned factory staff and prepared inspection report . According to the inspection report, the capacitors are directly connected to the mains even though loads are not available and due to this the capacitor current recording in RYB phases are 44.1 Amps , 48.5 Amps and 53.2 Amps respectively.

KVAH recording is due to capacitor current in the meter even though are not available. M& P wing has created awareness to the consumer while programming the new TOD settings in earlier inspection of the service on 12.04.2022 and usage of capacitors have been explained to the complainant . Capacitors should be in 'ON' condition only when the loads are available and should be in 'OFF' condition for the remaining period. The appropriate suitable capacity of capacitors should be fixed to the motors instead of directly connected to mains otherwise automatic capacitor bank should be fixed at the control panel to maintain unity power factor.

Staff of the complainant's factory also given written assurance to follow the above precautions ( Copy of M& P Inspection report dt: 12.4.2022 and 16.5.2022 enclosed) . The observations made at the time of meter testing and detailed reply has been communicated along with inspection reports of M & P wing to the complainant in D.No.356/2022 dt : 26.5.2022.

Maintenance of power factor at the consumer end is mandatory responsibility as per Clause .6.9 of General condition for HT supply and as per Clause.12.2 of GTCS amended by proceeding No.APERC/Secy/ 96/2014 Dt: 31.05.2014. Aggrieved by the receipt of the detailed reply by the respondents, complainant filed the present complaint. The CC bill for the consumption of April'22 issued in May' 22 is in order and it was issued according to meter reading of RMD, KVAH consumption and TOD readings recorded and furnished by Dy. EE/O/ Sub Division/ Dhone which includes demand charges as per new tariff rates as per tariff order for the F.Y. 2022-23 and statutory component of electricity duty with new rate of ₹ 1 ( 1 rupee per unit) as per government

order vide GO MS No.7 Dt:8.04.2022 and these amounts cannot be deleted for this service.

Complainant paid ₹1,00,000, ₹1,00,000 and ₹25000 in total ₹2,25,000 on 04.6.2022 and 05.06.2022 and 06.06.2022 respectively through online without any approval. Subsequently the service was disconnected for non payment of CC charges in full and action was taken against D- list issued on 06.06.2022 from the office of Respondent No.2. Complainant approached the Hon'ble High Court and filed writ petition vide W.P.No. 15644 of 2022 dt: 07.06.2022 on the said allegation with a request for restoration of power supply considering the part payment . An interim order has been passed by the Hon'ble High Court on 10.6.2022 with a direction to restore the power supply to the complainant's granite factory within 3 days. In obedience to the order of Hon'ble High Court, power has been restored on 13.06.2022.

4. Personal hearing through video conferencing was conducted on 05.07.2022. G. Subba Lakshmayya husband of the complainant was present. EE/O/Dhone present. Heard both sides. Respondent.No. 1 represented that complainant filed Writ Petition(W.P) before the Hon'ble High Court in W.P No.15644 questioning the bill issued for the month of April'2022 in May'2022 . The Hon'ble High Court was pleased to grant Interim directions to restore the power service connection within three (3) days and accordingly the service was restored. Husband of the complainant also admitted about filing of writ petition.

Subsequently respondent No.1 sent the copy of the affidavit of the writ petitioner filed in W.P.No. 15644 of 2022 and the interim orders passed in IA.No. 1 of 2022 in W.P 15644 was sent through mail.

5. The point for determination is whether this forum is competent to entertain complaint for the same cause of action when the complainant filed Writ Petition for the same relief before the Hon'ble High Court of Andhra Pradesh ?

Husband of the complainant admitted about filing of W.P before Hon'ble High Court and obtaining interim orders from the Hon'ble High Court. The copy of the affidavit filed by the complainant in the W.P. shows that W.P was filed questioning the disconnection of the service when her complaint against abnormal bill issued in the month of May'2022 is pending with the respondents. The subject matter in this complaint and the subject matter in the W.P. 15644 of 2022 is one and the same.

This Forum is constituted as per Reg 3 of 2016. Cl.10.2 of Reg.3 of 2016 is as follows :



To  
The Complainant  
The Respondents  
Copy to the Nodal Officer (Chief General Manager (O&M)/ Operation)/ CGRF/ APSPDCL/  
Tiruati.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh , 3<sup>rd</sup> 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, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills,  
Lakdikapool, Hyderabad- 500 004.

Sri. Dr. P. Suresh Kumar

Independent Member

Rep By: M. S. Srinivasulu Reddy

Gandhi Nagar

Dist: Guntur

Pin: 522 001

DESPATCHED

2/5/23