

CONSUMER GRIEVANCES REDRESSALFORUM

SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED, TIRUPATI

This the 01st day of November' 2023

C.G.No.18/2023-24/Nellore Circle

CHAIRPERSON **Sri. V. Srinivasa Anjaneya Murthy**
Former Principal District Judge

Members Present

Sri. K. Ramamohan Rao **Member (Finance)**
Sri. S.L. Anjani Kumar **Member (Technical)**

Between

Sri.Shaik Gouse Basha, Managing Partner, 5/26,
Brahmana Street, Nellore.

Complainant

AND

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

Respondents

This complaint came up for final hearing before this Forum through video conferencing on 27.10.2023 in the presence of the complainant and respondents and having considered the complaint and submissions of both the parties, this Forum passed the following:

ORDER

1. The case of the complainant is that he is having Industrial Service connection No.3111433004187, that the respondents issued shortfall amount for Rs.1,51,000/- for the period from January'2023 to June'2023 as the complainant has exceeded RMD of 75 KVA,



that if the respondents informed the complainant in February'2023 about consumption of excess load, he would have an opportunity to rectify his mistake but the respondents after a long time issued the notice claiming shortfall amount and thereby requested to cancel the said claim of the respondents.

2. The said complaint was registered as C.G.No.18/2023-24 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that they issued the notice to the complainant for exceeding RMD load more than the contracted load i.e. 100 HP, that the RMD load exceeded consecutively from January'2023 to June'2023 and hence the bill was charged according to HT tariff and demand notice was issued for Rs.1,51,377/-, that excess of recorded RMD was intimated to the consumer by the Assistant Executive Engineer concerned from time to time, that previously the load was effected for deration from 116 HP to 100 HP in March'2020 as requested by the complainant. Hence, the complainant has knowledge of present billing procedure and its conditions. The complainant did not take additional load for the excess load than the contracted load of 100 HP. As per GTCS Rules, if the recorded demand of any service connection under the



category exceeds 75 KVA, such excess demand shall be billed at the demand charges prescribed under the HT tariff and accordingly the impugned notice was issued to the complainant in this case and that there was no illegality in issuing the notice by the respondents.

3. Heard both the parties through video conferencing.

4. Now the point for determination is:

“Whether the complainant is entitled for cancellation of demand notice issued by the respondents for payment of shortfall amount of Rs.1,51,377/- as prayed for” ?

5. **POINT:** During the course of video conferencing, the complainant admitted that due to his mistake only the contracted load exceeded and he admitted his liability to pay the shortfall bill amount of Rs.1,51,377/-. However, the complainant requested to afford an opportunity to pay the shortfall bill amount of Rs.1,51,377/- in 15 instalments, since he sustained heavy losses due to Covid-19 in running his industry. The complainant also sent a request letter requesting for instalments and he confirmed the said letter during the video conferencing.

6. Considering the circumstances and keeping in view of the financial crisis of the complainant, this Forum opine that he can be permitted



to pay the shortfall bill amount of Rs.1,51,377/- in instalments as he himself admitted his liability and there is no need to go into the merits of the case. Accordingly, the point is answered.

7. ***In the result***, the complaint is disposed off. The complainant is permitted to pay the shortfall bill amount of Rs.1,51,377/- in 15 installments. The Complainant has to pay Rs.10,000/- each for 14 instalments and the balance Rs.11,377/- in the 15th instalment. The respondents shall not charge any interest on the shortfall bill amount. The complainant has to pay the regular CC charges as per Rules in vogue, besides paying the instalments. There is no order as to costs.
8. The complainant is informed that if he is aggrieved by the order of the Forum, he may approach the Hon'ble Vidyut Ombudsman, 3rd Floor, Plot. No.38, Adjacent to Kesineni Admin Office, Sriramachandra Nagar, Mahanadu Road, Vijayawada-08 in terms of Clause 13 of Reg.No.3 of 2016 of Hon'ble APERC within 30 days from the date of receipt of this order and the prescribed format is available in the website vidyutombudsman.ap.gov.in.

Typed to dictation by the computer operator-2 corrected and pronounced in the open Forum on this 01st day of November' 2023.

(Signature) 01/11/2023

CHAIRPERSON

(Signature)
Member (Finance)
01/11/2023

(Signature) 11/11/2023
Member (Technical)

Documents marked

For the complainant: Nil

For the respondents: Nil

Copy to the

Complainant and All the Respondents

Copy Submitted to

**The Chairman & Managing Director/Corporate
Office/APSPDCL/ Tirupati.**

**The Hon'ble Vidyut Ombudsman, 3rd Floor, Plot No.38,
Sriramachandra Nagar, Vijayawada-08.**

The Secretary/Hon'ble APERC/Hyderabad-04.

The Stock file.

