

CONSUMER GRIEVANCES REDRESSAL FORUM
SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED,
TIRUPATI

This 02nd day of January' 2025

C.G.No.207/2024-25/Tirupati 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. P. K. Narasimman, Manager (Maintenance),
M/s. Paharpur 3 P Unit-II Pvt Ltd,
Sri City, Satyavedu (M), Tirupati Dist. Complainant

AND

1. Superintending Engineer/O/Tirupati
2. Dy. Executive Engineer/O/Nagalapuram
3. Executive Engineer/O/Puttur
4. Senior Accounts Officer/O/Tirupati Respondents

This complaint came up for final hearing before this Forum through video conferencing on 19.12.2024 in the presence of the complainant and respondents and having considered the material placed by both the parties, this Forum passed the following

ORDER

- 01.** The complainant filed the complaint during Vidyut Adalat conducted on 04.12.2024 at Sricity stating that they have received surcharge notice for ACD charges included in the CC bill received in the month of December and since the surcharge amount is Rs.22,00,000/- they requested for additional time for payment but still they received the surcharge notice and they request for waiver of the surcharge. 

02. The said complaint was registered as C.G.No.207/2024-25 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that as per Regulation No.06 of 2004 of the Hon`ble APERC, the belated payment surcharge was calculated @18% and the same has been included in the CC charges bill for the month of December`2024 and there is no irregularity or illegality in the demand notice issued by the respondents.
03. Heard complainant and respondents through video conferencing. The complainant submit that the respondents are illegally collecting belated payment surcharge @18% and it is to be waived. On the otherhand, the respondents submit that as per Regulation of 6 of 2004 of the Hon`ble APERC and s per Retail Supply Tariff Order for the F.Y. 2024-25, they have levied belated payment surcharge @ 18% and there is no illegality or irregularity in collecting the same.
04. We have considered the submission of both the parties. We perused *Retail Supply Tariff Order for F.Y.2024-25 in which Clause.No.6.7 in Chapter X* reads as follows:

“Additional Charges for belated payment:

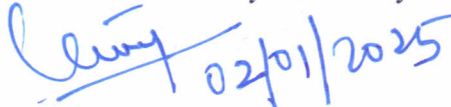
The Licensees shall charge the delayed payment surcharge (DPS) per month on monthly consumption charges only @ 5 Ps/100/Day or 550/- whichever is higher. In case of grant of installments, the Licensees shall levy interest @ 18% per annum on the outstanding amounts, compounded annually and both shall not be levied at the same time”.

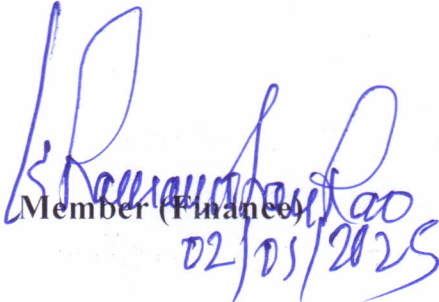
We have perused the demand notice. Admittedly, the respondents issued ACD notice for Rs.21,83,800/- on 05.10.2024 fixing the due date of payment as 05.11.2024. Admittedly, the complainant paid ACD amount on 29.11.2024 and there was delay of 25 days in making payment of ACD


amount. As per Clause No.6.7 in Chapter X of Retail Supply Tariff Order for the F.Y.2024-25 the respondents levied delayed payment surcharge (DPS) for the delay of 25 days in making the payment of ACD amount which is equivalent to 18% interest (Rs.26,923.56 Ps). On considering the entire material, we have no hesitation to hold that the action in calculating the belated payment surcharge on the ACD outstanding amount is in accordance with Clause. No.6.7 in Chapter No.X of Retail Supply Tariff Order for F.Y.2024-25. Hence, we find no irregularity or illegality in levying belated payment surcharge on the ACD outstanding amount by the respondents and the complaint is devoid of merits. Accordingly, the complaint is dismissed. There is no order as to costs.

05. The complainant is informed that if he is aggrieved by the order of the Forum, he may approach the Vidyut Ombudsman, 3rd Floor, Plot. No.38, Adjacent to Kesineni Admin Office, Sriramachandra Nagar, Mahanadu Road, Vijayawada-08 in terms of Clause.13 of Regulation.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 02nd day of January' 2025.


02/01/2025
CHAIRPERSON


02/01/2025
Member (Finance)


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 Vidyut Ombudsman, 3rd Floor, Plot No.38, Sriramachandra
Nagar, Vijayawada-08.

The Secretary/Hon'ble APERC/Vidyut Niyantrana Bhavan, Adjacent
to 220/132/33/11 KV AP Carbides Sub Station, Dinnedavarapadu
Road, Kurnool-518002, State of Andhra Pradesh.

The Stock file:

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02/01/2025