



BEFORE THE VIDYUT OMBUDSMAN
Andhra Pradesh :: Hyderabad



:: Present ::

N. Basavaiah, B.Sc, B.L.

Date: 28-06-2017

Appeal No. 05 of 2017

Between

Sri. Nagamunindra Seshagiri Rao, S/o Satyanarayana Rao, Apparaopeta, Akiveedu
Mandal, West Godavari District.

...Appellant/ Complainant

And

1. The AE/Operation/APEPDCL/Akiveedu/West Godavari
2. The AAO/ERO-Bhimavaram/APEPDCL/West Godavari
3. The ADE/Operation/APEPDCL/Akiveedu/West Godavari
4. The DE/Operation/APEPDCL/Bhimavaram/West Godavari

... Respondents

The above appeal- representation filed on 15-05-2017 has come up for final hearing before the Vidhyut Ombudsman on 13-06-2017 at Eluru. The complainant's son by name, Nagamunindra Sreedhar Babu, as well as the respondents 1,3,4 and the Junior Accounts Officer on behalf of the second respondent above, was present. Having considered the appeal, the submissions made on behalf of the complainant and the respondents, the Vidhyut Ombudsman passed the following:

ORDER

1. This appeal has been preferred by the appellant-complainant against the order dated.30-03-2017 in C.G.No:187/2016/Visakhapatnam Circle, passed by the Forum for Redressal of Consumer Grievances in Eastern Power Distribution Company of A.P Limited, Visakhapatnam, whereby and where-under the above Forum passed the order as follows:

"That the respondents are hereby directed to revise the provisional



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assessment for short billing in term of contracted load of the consumer applying table A4.23 of annexure-XII (IV) of GTCS for the defective period w.e.f. 29.01.2016 to 28.07.2016 and issue the revised assessment for short billing notice to the consumer.

That the consumer is hereby directed to pay the amount in terms of revised provisional assessment for short billing notice within a period of one month of the date of receipt of such notice.

- Accordingly, the C.G.No. 187/2016 is disposed off.”

2. The brief facts of this case are that a short billing notice for Rs. 3,56,513 showing 93,573 as units short billed for the period from 29-01-2016 to 28-07-2016 on the ground that the meter was recording less energy consumption, was issued by the licensee to the complainant-consumer. So, a complaint was filed by the complainant-consumer before the Forum. After hearing both sides, the Forum passed the above order. As the above order was not implemented by the respondents, this representation had been filed by the complainant.

3. It appears that after filing the representation, assessment notice was issued by the licensee as per the order of the Forum, to the complainant asking him to pay sum of Rs. 1,99,347/-. When I tried for a mediation and asked the respondents whether the assessment notice was given in accordance with the order passed by the Forum and further asked them to show the calculation made in accordance with the above order, they stated that after calculation, only Rs. 77,790 is due from the consumer as per the order of the Forum. The complainant- consumer readily agreed to pay that amount and filed a memo in writing stating that he would pay the above amount in four monthly instalments. The respondents submitted that instalments would commence from the date of issuance of the final notice by the fourth respondent. GTCS -2006 does not contain any clause to indicate that issuance of provisional and final notices by the licensee to the consumer is necessary with respect to short billing notices.



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4. Considering the above submissions of both sides and the memo filed by the complainant, I feel that there is no need to decide any point in this case on merits and that there is no need to give any further notice to the complainant.

5. In the result, I direct the complainant-consumer to pay a sum of Rs. 77,790/- to the respondents in four equal monthly instalments commencing from 5th July 2017. If the complainant-consumer makes any default in payment of any one of the above monthly instalments, the respondents are entitled to recover the entire amount due in lumpsum with interest at 18% per annum on the amount due. In the circumstance of this case, I direct both parties to bear their respective costs. This representation is thus disposed of.

6. This order is corrected and signed on this 28th day of June, 2017.

7. A signed copy of this order is made available at
www.vidyutombudsman.ap.gov.in.

N Basaravani
28/6/17
VIDYUT OMBUDSMAN

To

1. Sri. Nagamunidra Seshagiri Rao, S/o Satyanarayana Rao, Apparaopeta, Akiveedu Mandal, West Godavari District - .
2. The Assistant Engineer, Operation, Akiveedu, APEPDCL, Operation Section, Bhimavaram Road, 33/11 KV Akiveedu Sub-Station, West Godavari District - 535 235.
3. The Assistant Accounts Officer, ERO-Bhimavaram, Opp: 132/33/11KV Sub-Station, Indl. Estate, Bhimavaram, West Godavari District - 534 204
4. The Assistant Divisional Engineer, Operation, APEPDCL, Akiveedu, APEPDCL, Operation-Sub Division, Bhimavaram Road, Akiveedu, West Godavari District - 535 235



5. The Divisional Engineer, Operation, Bhimavaram, APEPDCL, Operation Division, Beside 132/33/11 KV SS, Industrial Estate, BVRM, West Godavari District - 534 201.

Copy to:

6. The Chairman, C.G.R.F., APEPDCL, P & T Colony, Seethammadhara, Near Gurudwara Junction, Visakhapatnam - 530 013.
7. The Secretary, APERC, 11-4-660, 4th Floor, SingareniBhavan, Red Hills, Hyderabad - 500 004.

VIDYUT OMBUDSMAN R.P.

