



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA
First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: Smt. UDAYA GOURI

Thursday the Fourteenth Day of June 2018

Appeal No. 20 of 2018

Preferred against reply in inward No.859 dt.16.03.2018.

of CGRF Rajendra Nagar Circle

Between

M/s. Priyanka Udyog, represented by its proprietor Sanjay Khairtan
Sy.No.49,50, Annaram Village, Shadnagar, R.R.District - 509 216.

... Appellant

AND

1. The ADE/OP/Shadnagar/TSSPDCL/Hyderabad.
2. The DE/OP/Shadnagar/TSSPDCL/Hyderabad.
3. The SE/OP/Rajendra Nagar Circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 31.03.2018, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 24.05.2018 at Hyderabad in the presence of Nishitha - on behalf of the Appellant and Sri. M. Naveen Kumar - ADE/OP/Shadnagar and Sri. P. Raja Ram Reddy - DE/OP/Shadnagar for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

This is an Appeal filed by M/s. Priyanka Udyog Pvt. Ltd. Seeking to withdraw the notice issued by the ADE/OP/Shadnagar vide Lr. No.3751 dt.21.02.2018 asking them to pay Rs 11,10,600/- towards short billing / back billing stating that the Respondents have suffered loss due to less recording of 3 phase voltages in view of the defective CTPT set pertaining to SC No. 3105 00372 belonging to the Appellant.

2. The Appellant contended that they have filed a complaint before the CGRF seeking for the above relief and the learned CGRF returned the said complaint on the ground that the Appellant has not approached DE/OP/Shadnagar with their relief before

approaching the CGRF. Hence, aggrieved by the said order the present Appeal is filed seeking redressal on their pleadings.

3. The Respondents being represented by the Respondent No.1 submitted a written statement stating that ADE/DPE/HT-III by name Sri. B. Ramulu inspected the service No. 3105 00372 Category LT-III on 20.12.2017 at 12.30 Hrs and found that the Appellant was utilising healthy III phase supply but the voltage of the 3 phase meter was showing less consumption in comparison to the normal voltage due to the defective CTPT set and that as per the MRB the voltage of the meter was showing less consumption due to the defective CTPT set and that the said defect in the meter started from the month of July,2016 to December,2017 and hence the said shortfall of the consumed units were assessed and calculated as such arrived at 1,64,289 units, hence billed for the said assessed units as Rs 11,10,600/- and required the Appellant to pay the same. They further contended that the said back billing was in accordance with the provisions of the act.

4. In the face of the said contentions by the both sides the following issues have been framed:-

1. Whether the CTPT set was defective and if so whether the Appellant is liable for the back billing notice issued by the Respondents?
2. To what relief?

Issue No. 1

5. The written and oral submissions made by both sides go to show that the Appellant claimed that the back billing amount of Rs 11,10,600/- for the period from July,2016 to December,2017 is in violation of Clause 7.5.1 of GTCS and hence the same is illegal and liable to be set aside.

6. The Respondents on the other hand represented by the Respondent No. i.e.ADE/OP/Shadnagar through his written letter bearing No.136 dt.12.04.2017 submitted that ADE/DPE/HT-III visited the service connection bearing No. 3105 00372 and inspected the same on 20.12.2017 at about 12.30 hrs and found that though the Appellant was utilising a healthy 3 phase supply, the three phase voltage in the meter is less in comparison to the normal voltage in view of the defective CTPT set and hence the meter reading book was also showing less consumption from the month of July,2016 to

December,2017 hence he replaced the CTPT set on 20.12.2017. He further contended that as per the MRI dump given by the DE/MRT/Rajendra Nagar clearly showed the voltages of R phase and B phase were low from 12.05.2016 to 27.12.2017. Hence, as per the General Terms and Conditions of TSSPDCL an average consumption was proposed for the defective period on the consumption from the month of March,2016 to May,2016 as per assessment calculations sheet and arrived at the shortfall of consumed units as 1,64,289 as such billed the said units at Rs 11,10,600/- (Rupees Eleven Lakhs Ten Thousand Six Hundred Only).

7. On the basis of the said written submissions of the Respondents the Appellant further filed a rejoinder showing the comparison with the assessment notice:

Statement of Respondent No. 2 in letter No.ADE/OP/Shadnagar SD/F.OMBUDSMAN/D.No.136 dt.12.04.2018	Statement of Respondent No. 2 in Assessment notice bearing No.ADE/OP/Shadnagar/D.No.3751 dt.21.02.2018
<p>2nd para of 2(a)</p> <p>As per the MRI dump given by DE/MRT Rajendranagar, in dump also shows clearly shows the Voltages of R phase and B phase are low from the period 12.05.2016 to 27.12.2017.</p> <p>Please note that Respondent No.2 has not furnished a copy of MRI dumps.</p>	<p>1st point of para 2</p> <p>3 Phase voltage of the meter were less compared to the normal voltage due to the defective CTPT set.</p> <p>3rd point of para 2</p> <p>The dump is not available due to the old meter and LT meter dumps are not taking every month and all the parameters must recorded in the MRB only.</p> <p>5th point of para 2 The 3 phase voltage are less recorded in the meter start from the month of July,2016 to December,2017.</p>

8. The Appellant further added rejoinder to the appeal on dt.24.05.2018 to consider the following facts:

1. The inspecting officer at the beginning of the inspection taken the signature of Sri. Vijay, supervisor at Sl.No.2 column of inspection report without intimating to the consumer. At the end of inspection at Sl.No.12 of the inspection report ought to have record the statement of consumer and

serve a copy to the consumer but the inspecting officer did not comply the same which is a violation of Clause 9.1.2 of GTCS.

2. It is pertinent to note that the R2 in the assessment notice informed that **3 phase of the meter were less, in the Lr.No.136 dt.12.04.2018 submitted before this Hon'ble authority informed that R phase and B phase are low and as per Sl.No. 9 of inspection report only R phase is less.**
3. Once again reiterated that the R2 has not submitted the MRI dumps and Test report in this regard.

9. The said submissions of the Respondents show that they claimed that based on the observations of low voltages in the meter made by the ADE/OP/Shadnagar during monthly readings, the ADE/DPE/HT III inspected the service connection No. 3105 00372 on 20.12.2017 and found at the time of inspection that the consumer is availing 3 phase healthy supply, the 3 phase voltages in the meter were less compared to the normal voltages due to defective CTPT set. The parameters measured at TTB (Test Terminal Block) in terms of 3 phase voltages are less, from the output of the CTPT. It was stated that the dump is not available due to old meter and as per the MRB (Meter Reading Book) the voltage of the meter are less, similarly on verification of the EBS (Energy Billing System), the consumption has been reduced from the month of July,2016 and it was concluded that 3 phase voltages were recorded less in the meter starting from the month of July,2016 to Dec,2017. The defective CTPT was replaced on 28.12.2017. Subsequently an assessment notice for short billing for an amount of Rs 11,10,600/- was issued to the Appellant by ADE/OP/Shadnagar vide Lr.No.3751 dt.21.02.2018.

10. The Respondents further submitted the recorded voltages in the Meter and TTB (Test Terminal Block) in terms of phase to phase voltages, phase to neutral voltages and currents, as per the HT inspection report Sl.No. 3193 of ADE/DPE/HT as follows:-

Meter				TTB					
Ph1	1.70	L1	1.8	Vry	86.3	Vrn	29.1	Ir	0.48
Ph2	3.6	L2	3.60	Vyb	125.2	Vyn	66.0	Iy	0.51
Ph3	1.80	L3	3.15	Vbr	73.1	Vbn	63.2	Ib	0.18

11. The Respondents further submitted the Copy of MRI Dump depicting the variation in Voltages is given below:

CUMULATIVE CT/PT STATUS DATA														
Consumer code : 3105-372 Divison Name : GENERAL Consumer Name : PRIYANKA UDYOG										Applied EMF For PT = 1 AND CT = 1 Meter Reading Time : 27/03/2018 18:07:54 File Creation Time : 03/04/2018 14:58:15				
Meter Serial No : TT363220 Meter CT Ratio : 10 / 5 (A) Meter PT Ratio : 11000 / 110 (V) Persistence Time(Occ) : 5Min(s)					Meter Type : HT 3Ph / 4Wr Connected CT Ratio : 10 / 5 (A) Connected PT Ratio : 11000 / 110 (V) Persistence Time(Rec) : 5 Min(s)									
Type	Event	Date & Time	Vr(V)	Vy(V)	Vb(V)	Ir(A)	Iy(A)	Ib(A)	PF(R)	PF(Y)	PF(B)	TPF	kWh Imp	kVAh Imp
RCTR	Occ:	23/12/2017 09:20	2600.00	6000.00	4800.00	-2.61	3.07	2.31	0.23	Ld 0.74	Lg 0.97	Ld 0.97	1453098.80	1643677.60
	Rec:	23/12/2017 21:41	2600.00	6200.00	5000.00	0.90	0.92	0.78	0.69	Lg 1.00	0.44	Ld 0.98	1453221.60	1643812.40
BCTS	Occ:	23/12/2017 10:37	2600.00	5800.00	4600.00	1.58	2.05	1.25	0.16	Lg 0.86	Lg 0.93	Ld 0.95	1453127.20	1643706.20
	Rec:	23/12/2017 18:13	1800.00	3600.00	1800.00	-2.98	3.78	3.15	0.38	Ld 0.53	Lg 0.99	Lg 0.91	1453187.00	1643775.60
BPTM	Occ:	23/12/2017 12:53	1600.00	3400.00	1600.00	-1.52	1.88	1.05	0.06	Ld 0.5	Lg 1.00	0.88	1453141.60	1643722.40
	Rec:	24/12/2017 09:22	2800.00	6000.00	5000.00	-1.85	2.06	1.45	0.03	Ld 0.88	Lg 0.84	Ld 1.00	1453276.20	1643867.40
BCTS	Occ:	23/12/2017 19:00	1800.00	3800.00	1800.00	1.66	2.01	1.19	0.03	Lg 0.57	Lg 1.00	0.61	1453198.00	1643787.60
	Rec:	24/12/2017 16:19	3400.00	6800.00	6400.00	2.73	3.06	2.42	0.55	Lg 0.9	Lg 0.89	Ld 1.00	1453390.60	1643983.60
BCTR	Occ:	24/12/2017 01:08	2400.00	6000.00	4800.00	0.67	0.63	-0.60	0.95	Lg 0.83	Ld 0.27	Lg 1.00	1453246.80	1643837.60
	Rec:	24/12/2017 02:50	3400.00	6800.00	6400.00	-0.10	0.75	-0.70	0.45	Lg 0.76	Ld 0.32	Lg 1.00	1453253.40	1643844.20
YCTR	Occ:	24/12/2017 02:50	3400.00	6800.00	6400.00	-0.10	0.75	-0.70	0.45	Lg 0.76	Ld 0.32	Lg 1.00	1453253.40	1643844.20
	Rec:	24/12/2017 07:08	3200.00	6400.00	6000.00	-0.09	0.96	0.81	0.35	Ld 1.00	0.34	Ld 1.00	1453255.00	1643845.80
RCTO	Occ:	24/12/2017 03:03	3400.00	6800.00	6400.00	-0.10	0.71	-0.67	0.53	Lg 0.76	Ld 0.31	Lg 1.00	1453253.60	1643844.40
	Rec:	24/12/2017 03:15	3200.00	6800.00	6200.00	-0.11	0.73	-0.69	0.89	Lg 0.75	Ld 0.33	Lg 1.00	1453253.60	1643844.40
RCTO	Occ:	24/12/2017 03:50	3200.00	6800.00	6200.00	-0.05	0.64	-0.60	0.36	Lg 0.76	Ld 0.32	Lg 1.00	1453253.60	1643844.40
	Rec:	24/12/2017 07:15	3200.00	6400.00	6000.00	-0.13	0.96	0.81	0.58	Ld 1.00	0.32	Ld 1.00	1453255.80	1643846.60
RCTR	Occ:	24/12/2017 07:35	3200.00	6200.00	5800.00	-0.88	0.88	0.81	0.74	Ld 1.00	0.23	Ld 1.00	1453258.40	1643849.20
	Rec:	24/12/2017 11:41	3200.00	6800.00	6200.00	1.58	2.15	1.24	0.92	Lg 0.91	Lg 0.95	Ld 0.99	1453318.60	1643910.60
RCTO	Occ:	24/12/2017 13:09	3400.00	6800.00	6400.00	0.07	0.67	-0.56	0.52	Ld 0.67	Ld 0.32	Lg 1.00	1453341.60	1643933.80
	Rec:	24/12/2017 14:23	3200.00	6800.00	6200.00	1.10	1.82	1.02	0.9	Lg 0.94	Lg 0.99	Ld 0.99	1453347.20	1643939.60
BCTR	Occ:	24/12/2017 13:21	3400.00	6800.00	6400.00	0.07	0.64	-0.52	0.83	Ld 0.68	Ld 0.3	Lg 1.00	1453342.20	1643934.60
	Rec:	24/12/2017 14:23	3200.00	6800.00	6200.00	1.09	1.79	0.99	0.93	Lg 0.94	Lg 0.99	Ld 0.99	1453347.20	1643939.60
RCTR	Occ:	24/12/2017 17:26	3200.00	6400.00	6200.00	-2.19	3.26	2.82	0.34	Ld 0.84	Lg 0.98	Ld 0.98	1453424.80	1644018.00
	Rec:	24/12/2017 17:41	3200.00	6600.00	6200.00	2.15	3.25	2.64	0.61	Lg 0.95	Lg 0.93	Ld 1.00	1453433.40	1644026.80
BCTS	Occ:	24/12/2017 19:13	3200.00	6800.00	6200.00	0.02	1.45	0.42	1.00	0.96	Lg 0.98	Ld 1.00	1453482.40	1644075.80
	Rec:	25/12/2017 10:02	3200.00	6600.00	6200.00	2.07	2.54	2.19	0	Lg 0.9	Lg 0.93	Ld 0.99	1453574.40	1644168.60
RCTO	Occ:	24/12/2017 19:20	3200.00	6800.00	6200.00	0.04	1.04	0.78	0.64	Lg 1.00	0.61	Ld 1.00	1453483.40	1644076.80
	Rec:	24/12/2017 23:37	3200.00	6400.00	6000.00	-0.12	0.91	0.77	0.36	Ld 1.00	0.32	Ld 1.00	1453518.20	1644111.60
YCTR	Occ:	25/12/2017 01:07	3200.00	6400.00	6000.00	-0.09	0.66	-0.61	0.27	Ld 0.77	Ld 0.34	Lg 1.00	1453525.00	1644118.60
	Rec:	25/12/2017 05:12	3200.00	6400.00	6000.00	0.08	0.62	-0.58	0.49	Lg 0.76	Ld 0.33	Lg 1.00	1453527.00	1644120.60
RCTO	Occ:	25/12/2017 01:28	3200.00	6400.00	6000.00	-0.08	0.66	-0.61	0.31	Ld 0.76	Ld 0.34	Lg 1.00	1453525.00	1644118.60
	Rec:	25/12/2017 03:34	3200.00	6400.00	6000.00	-0.10	0.68	-0.63	0	Lg 0.77	Ld 0.36	Lg 1.00	1453526.20	1644119.60
BCTR	Occ:	25/12/2017 05:12	3200.00	6400.00	6000.00	0.08	0.62	-0.58	0.49	Lg 0.76	Ld 0.33	Lg 1.00	1453527.00	1644120.60
	Rec:	25/12/2017 07:13	3200.00	6400.00	6000.00	-0.09	0.73	0.63	0.67	Ld 0.94	Lg 0.83	Ld 1.00	1453535.80	1644129.40
RCTO	Occ:	25/12/2017 05:16	3200.00	6400.00	6000.00	0.08	0.62	-0.58	0.49	Lg 0.76	Ld 0.33	Lg 1.00	1453527.40	1644121.00
	Rec:	25/12/2017 06:47	3200.00	6400.00	6000.00	0.11	0.64	-0.58	0.37	Lg 0.78	Ld 0.31	Lg 1.00	1453533.80	1644127.20
RCTO	Occ:	25/12/2017 07:05	3200.00	6600.00	6200.00	0.02	0.62	-0.56	1.00	0.8	Ld 0.29	Lg 1.00	1453535.00	1644128.60
	Rec:	25/12/2017 08:53	3400.00	6800.00	6200.00	0.12	1.62	0.81	0.91	Lg 0.87	Lg 0.93	Ld 0.98	1453551.00	1644144.60

Note: PTM - PT Missing, CTR - CT Reversal, CTO - CT Open, CTS - CT Short

R - Red Phase Y - Yellow Phase B - Blue Phase

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The Tamper Summary shows the initial occurrence of the Irregularity and Recovery to normal status, copy is placed below:



TAMPER SUMMARY

Consumer Code : 3105-372 Meter Reading Time : 27/03/2018 18:07:54
 Division Name : GENERAL File Creation Time : 03/04/2018 14:58:15
 Consumer Name : PRIYANKA UDYOG

Meter Serial No : TT363220 Meter Type : HT 3Ph / 4Wr
 Meter CT Ratio : 10/ 5 (A) Connected CT Ratio : 10/ 5 (A)
 Meter PT Ratio : 11000/ 110 (V) Connected PT Ratio : 11000/ 110 (V)
 Persistence Time(Occ) : .5 Min(s) Persistence Time(Rec): 5 Min(s)

Cumulative Tamper Count : 7521

Present Status : RCTR

Type	First Occurrence	Last Recovery	Cumulative	
			Count	Duration (HH:mm:ss)
PTM	12/05/2016 18:20:29	27/12/2017 11:37:51	20	8132:53:38
PTM	—	—	0	—
iPTM	12/05/2016 14:28:15	27/12/2017 08:37:57	49	7860:52:23
iCTR	26/03/2009 14:18:11	27/12/2017 11:57:29	592	2125:09:44
iCTR	01/02/2009 17:11:38	27/12/2017 07:20:46	527	1375:22:52
iCTR	08/03/2009 15:29:25	27/12/2017 06:40:30	707	2041:46:12
iCTO	28/01/2009 16:13:58	27/12/2017 13:32:29	1421	2291:33:35
iCTO	21/03/2009 11:30:49	26/08/2017 08:46:27	62	183:27:00
iCTO	28/03/2009 11:00:48	17/02/2017 09:55:06	122	245:18:45
iCTS	25/01/2009 17:08:59	15/12/2017 17:34:03	647	29042:02:3
iCTS	25/01/2009 13:22:50	27/02/2017 10:11:58	1618	21718:12:3
iCTS	01/02/2009 08:04:57	27/12/2017 14:28:09	1756	28378:24:3

12. The said submissions of both sides go to show that though originally the MRI dumps were not produced by Respondent No.2 they were produced later as shown above and the same clearly shows that there is an irregularity in the voltages shown in comparison to the actual voltages from 12.05.2016 at 18:20:29 and the difference in voltages recorded from the actual voltages at which the supply was availed by the Appellant was not constant and there is a variance in the voltages from the actual voltage

on day to day basis also and as such the Respondents relied on MRI dumps report and detected the irregularity of voltage drop due to defective CTPT from the tamper summary of MRI dumps, wherein the first occurrence of voltage drop was recorded at 18:20:29 on 12.05.2016 and the last recovery was recorded at 11:37:51 on 27.12.2017.

13. In the face of the irregularity as seen above let us consider the proceedings of the Commission, the consumption pattern of the Appellant service connection to conclude whether the back billing done by the Respondents is in line with the statute.

The proceedings of the Hon'ble Commission bearing No. APERC/Secy/96/2014 dt.31.05.2014 showing the amended General Terms and Conditions of supply in Clause 7.5.1.4.4 was perused and found that as per the said amendment the assessment shall be made for the entire period during which the status of defective meter (here the definition of the meter also includes CTPT) can be clearly established, however the period during which such status of defective meter cannot ascertained, such period shall be limited to a period of 12 months immediately preceding the date of the inspection.

14. The Annexure XII(VII)(C), guidelines for assessment of short billing cases of the GTCS mandates, the Licensee to establish the defect with the aid of production of figures of consumer and MRI dumps. The MRI dumps above clearly shows the irregularity of recording less voltages, whereas the analysis of figures of consumptions of the Appellant service connection is to be reckoned.

15. In the light of the above the consumption pattern of the Appellant service connection which is as follows is perused:

Month/Year	Status	Closing Reading	Units (kwh)	Demand
Apr/2018	01	46138	14276	129591.00
Mar/2018	01	32044	12450	116254.00
Feb/2018	01	19615	15050	135000.00
Jan/2018	01	4597	4176	56598.00
Dec/2017	01	1449129	7389	79764.00
Nov/2017	01	1441941	6328	72264.00

Oct/2017	01	1435930	5255	64531.00
Sep/2017	01	1430917	10452	102172.00
Aug/2017	01	1420602	9159	92676.00
Jul/2017	01	1411563	6402	72798.00
June/2017	01	1405511	7207	78603.00
May/2017	01	1398792	9141	92834.00
Apr/2017	01	1390195	9808	97371.00
Mar/2017	01	1380414	7822	83126.00
Feb/2017	01	1372599	9628	96193.00
Jan/2017	01	1362983	9527	95506.00
Dec/2016	01	1353471	9234	93066.00
Nov/2016	01	1344263	7046	77291.00
Oct/2016	01	1337280	6122	70779.00
Sep/2016	01	1331221	7989	84489.00
Aug/2016	01	1323406	7732	97022.00
July/2016	01	1315827	7291	78860.00
June/2016	01	1308523	11411	105134.00
May/2016	01	1297110	16559	136037.00
Apr/2016	01	1280391	18445	152503.00

and found that the consumption pattern clearly shows that there is a considerable drop in consumption since June, July, 2016 and persistent until the rectification of the defect upto Dec, 2017 and Jan, 2018. The said consumption pattern clearly establishes the irregularity in consumption .

16. Hence perused the calculation sheet submitted by both parties which is as follows:-

On verification of HT dump it was observed that the 3 phase voltages of the meter were less compared to the normal voltages due to the defective of CTPT set and its start from July,2016 to Dec.,2017 billing cycles and the defective CTPT set was replaced on 28.12.2017.	
The voltage of R-phase in volts 1.70	
The voltage of Y-Phase in volts 3.60	
The voltage of B-Phase in volts 180	
As per the GTCS of TSSPDCL the average consumption was proposed for the defective period that was arrived by consider the consumption month from March, 2106 to May,2016 consider as follows:	
Main energy	
March- 2016	15959
April - 2016	18631
May - 2016	16726
The average main consumption per month = $51316/3 = 17105.33$	
The assessed consumption for the defective period consider from the month of July,2016 to December,2017 i.e. 18 months	
Short fall consumption = $18*17105.33 = A 307895.94$	
The ADE/OP billed consumption units from July,2016 to December,2017 = B 143606.00	
Shortfall units C= A-B = 164289.94	
Short billing amount @ Rs 6.76 ps/unit for normal 1110600	
Rupees Eleven Lakh Ten Thousand Six Hundred Only Rs 11,10,600/-	

and found that Clause 7.5.1 of GTCS entitles the Licensee to recover the revenue loss incurred through back billing while adopting the average units as per Clause 7.5.1.4.1 of the GTCS. As such it is concluded that the MRI dumps and the figures of the consumption pattern that are submitted clearly establishes the irregularity in consumption pattern actually shown and actually consumed. As such finds that there was loss of revenue to the extent of the less recordings of consumption due to the

defective CTPT set. Hence concludes that the back billing imposed by the Respondents is in line with the statute.

17. The Appellant further contended that the Respondents have violated various aspects and pointed out that Respondent No.2 informed in the assessment notice that the ADE/DPE/HT III Sri. B. Ramulu has handed over a copy of inspection report to the consumer whereas no inspection report is handed over to the consumer on 20.12.2017 which is a violation of Clause No. 7.5.1.1. Of GTCS. *It is pertinent to note at this juncture that this Hon'ble authority during hearing held on 12.04.2018 directed the Respondent No.2 handover a copy of acknowledged copy of inspection report to the Appellant with a copy to this Hon'ble authority. But a perusal of the records and the proceedings show that on the request of the Appellant copy of the inspection report was handed over to the Appellant during the hearing.*

18. The Appellant also contended that though Respondent No. 2 informed in the assessment notice that the service was inspected based on the complaint on low voltage in the meter failed to mention the name of the complainant and the defect is not established duly conducting meter testing at MRT lab in the presence of consumer as prescribed in Clause 7.5.1.2 of GTCS. *A perusal of notice of the ADE/OP/Shadnagar shows that the irregularity was noticed by Sri. B. Ramulu who was the ADE/DPE/HT-III and a perusal of Clause 7.5.1.2 of GTCS shows "the associated circuitry including CT/PT shall be tested at the premises of the consumer. In addition wherever the consumer disputes or otherwise considered necessary, the inspecting officer shall also ensure that the meter which is found to be defective at the time of inspection, is sent to the MRT laboratory for testing after replacement with a correct meter".* As such the said provisions mandates that when the meter was found defective the same requires to be tested in the premises of the consumer, but in this case it was not the meter that was defective and hence the same was not tested in the premises of the Appellant.

19. The Appellant further contended that though the assessment notice mentioned that the 3 phase voltages of the meter were less compared to the normal voltages due to the defective of CTPT set. But the said defect of CTPT is not established but conducting test in the MRT lab in the presence of the consumer as prescribed in Clause 7.5.1.2 of GTCS. *This authority is of the view that the HT*

metering unit majorly involves Meter, CTPT & associate circuitry. The meter and associate circuitry is found healthy, the only unit remain was CTPT. Hence, the defect of difference of voltages was established by declaring CTPT as defective. Whereas, the MRI dumps were the conclusive evidence to establish that there's less consumption recorded compared with actual consumption.

20. The Appellant further contended that the assessment as claimed to be made by the Respondent No.2 under Clause 7.5.1 of GTCS does not apply to the defective CTPT. *But a perusal of Clause 2.2.37 of GTCS shows that the term meter also includes accessories like Current Transformers, Potential Transformers. As such concludes that the said contention of the Appellant is not in accordance with GTCS provisions.*

21. The Appellant further contended that the copy of the MRI dumps and the copy of the MRT lab testing report were not furnished *but a perusal of the proceedings before this authority shows that the MRI dumps on cumulative CTPT status data along with the tamper summary were provided to the Appellant during the proceedings and since MRT lab testing was not conducted the concerned information was provided to the Appellant vide exhibit No.11.*

22. The Appellant also contended that the Respondents furnished CTPT data not pertaining to the relevant disputed period and the tamper summary does not show any tampering and that the lab testing is not conducted in the presence of the Appellant. *The data given by the Respondent from 23.12.2017 to 27.12.2017 depicts the drop in value of the voltages. The Appellant is liable to obtain the data from July,2016 to December,2017. But the defect of less voltages initial occurrence was established by the Respondents through TAMPER DATA MRI report and the term tamper is a technical word in terms of MRI dumps. The tamper data captures the irregularity of various parameters such as voltages currents etc. The Appellant contention that there is wrong allegation of tampering of the meter is not correct. The said subject does not involve any tampering case.*

23. The Appellant further contended that the provisional assessment made by the Respondents was on the assumption that the power supply to the Appellant was HT whereas they were only having LT supply but a perusal of the record show that *the metering setup of the Appellant is under HT level involving CT PT and the billing*

category is under LT. The Appellant avails HT supply duly transforming into LT supply, through transformer. The Provisional assessment notice issued is correct in terms of level of supply obtained by the Appellant.

24. In the face of the said discussions above it is concluded that there is an irregularity in the voltage supply to the Appellant due to the defect in the CTPT set in view of the consumption pattern of the Appellant service connection and hence the Respondents rightly recorded the same and issued a back billing notice for Rs 11,10,600/- and hence the Appellant is liable to pay the same. Hence decides this issue against the Appellant.

25. In the result the Appeal is dismissed and hence the Appellant is liable to pay the back billing amount as assessed by the Respondents for an amount of Rs 11,10,600/- towards recovery of revenue loss owing to defective CTPT set. But keeping in view the pleadings of the Appellant, the Appellant is allowed to pay the said amount in 10 equal instalments from the month of July,2018 after deducting the amount already paid if paid and failure to pay even one instalment shall make the entire amount becoming due with its consequences.

26. The licensee shall comply with and implement this order within 15 days from the date of receipt of this order under clause 3.38 of the Regulation 3 of 2015 of TSERC

TYPED BY Clerk Computer Operator, Corrected, Signed and Pronounced by me on this the 14th day of June, 2018.

Sd/-

Vidyut Ombudsman

1. M/s. Priyanka Udyog, represented by its proprietor Sanjay Khairtan
Sy.No.49,50, Annaram Village, Shadnagar, R.R.District - 509 216.
2. The ADE/OP/Shadnagar/TSSPDCL/Hyderabad.
3. The DE/OP/Shadnagar/TSSPDCL/Hyderabad.
4. The SE/OP/Rajendra Nagar Circle/TSSPDCL/Hyderabad.

Copy to :

5. The Chairperson, CGRF, Greater Hyderabad Area, GTS Colony,
Vengal Rao Nagar, Erragadda, Hyderabad.
6. The Secretary, TSERC, 5th Floor Singareni Bhavan, Red Hills, Lakdikapul, Hyd.