



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

:: Present:: R. DAMODAR

Saturday, the Twenty First Day of October 2017

Appeal No. 28 of 2017

Preferred against Order Dt.21.08.2017 of CGRF In

C.G.No.158/2017-18/Hyderabad North Circle

Between

M/s. Lokesh Machine Tools, represented by Sri. D. Raja Babu, Plot No. 54,
Shop No. 2-103/18/B, Akshaya Enclave, Shobana Colony, Bala Nagar,
Secunderabad - 500 042. Cell : 9440371347 & 040-22770518.

... Appellant

AND

1. The ADE/OP/Balanagar/TSSPDCL/Secunderabad.
2. The AAO/ERO/Bowenpally/TSSPDCL/Secunderabad.
3. The DE/OP/Bowenpally/TSSPDCL/Secunderabad.
4. The SE/OP/Hyd.North Circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 04.09.2017, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 04.10.2017 at Hyderabad in the presence of Sri. D. Raja Babu - Appellant and Sri. G. Gopi - ADE/OP/Balanagar and Sri. P. Sudharshan - AAO/ERO/Bowenpally for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has SC No. BZ064815 located in the adjacent shutter acquired in December,2016 by him. He claimed to have kept the shutter idle without any activity till July,2017 and during April,2017 he connected One Ton Inverter A.C. He claimed that from December,2016 to 21.4.2017, he received minimum bill of Rs 300/- per month for consumption of '0' units and since 6th May onwards, the consumption suddenly increased from minimum to 890 units billed for Rs 5,926/-. He stated that he used the A.C. from 21.4.2017 to 28.4.2017 while he got the consumption bill for 890 units for 15 days amounting to Rs 5826/- which is abnormally high. By paying Rs 300/- for testing charges, he got the meter tested and the test report disclosed the meter as normal.

The concerned AE/ and sub engineer are not responding to his queries properly and he sought rectification of the abnormal bills issued in the month of May,2017.

2. The Respondent No.1 submitted a reply. According to him, the service in question was released in the name of M/s. Nishitha Machine tools under LT Category II on 25.11.2006. The Appellant secured the premises on lease and has been utilising the supply for running the A.C. in his office, which is a commercial activity. On receipt of the bills for May,2017 the Appellant approached the concerned AE for rectification of the excess bills and got registered a complaint with ICSC/Bowenpally, challenging the accuracy of the meter. The meter was tested, its performance was found normal and the error was found within the limits. The premises of the Appellant was inspected on 7.8.2017 and it was found that the Appellant was using the power supply to his other premises and for office purpose with connected load of 1640 Watts. Thus the Appellant was found utilising the power for the load connected to this service and the performance of the meter, reading and consumption was found to be correct.

3. The Appellant submitted before the CGRF that he has not used the power supply for any other activity in the premises, except for running the A.C., in the month of April and sought revision of the excess bill.

4. The 1st Respondent appeared and stated that the Appellant has rented the premises with the Service Connection from the registered consumer, without any intimation to the DISCOM. The meter was tested in the MRT LT Lab and it was found functioning normally, with error within the permissible limits.

5. The CGRF has noted the Electronic Billing System statement for the months of November,2016 to April,2017 under wrong status i.e. Not in use(09 status) though the meter was found normally working and opined therefore that the bills need revision and directed the revision of bills accordingly, after following the due procedure, through the impugned orders.

6. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal stating that after receipt of the orders of CGRF, he was assured by the ERO (DISCOM) officials that they would reduce Rs 100/- from the bill and thus the officials have wasted two months of his time and that he was told by One official of the DISCOM that there was leakage of electricity and that his complaint remained unattended and his request was not considered.

7. The 1st Respondent filed a report dt.3.10.2017 stating additionally that the original consumer let out the premises on rent to the Appellant for user of the power supply for other than industrial purpose, without intimating the DISCOM. He stated that the Appellant represented about the excess bill to the Service Connection in the month of May,2017 for Rs 6316.42. The inspection by the DISCOM officials revealed that the power supply was being used for A.C. connected to the office. The Appellant further challenged the accuracy of the meter when faced with the bill for May,2017 and thus the meter was tested at MRT Lab, Erragadda for accuracy as per the procedure and its performance was found satisfactory. He stated that the Appellant, not satisfied with this report, has approached the CGRF for redressal of his grievance. He stated that the bill was revised for the months of November,2016 to May,2017 under industrial category. He also filed a copy of the meter test report dt.10.5.2017 showing the date of testing of the meter on 9.5.2017.

8. The Appellant filed a copy of service/installation report issued by VOLTAS Company showing that the A.C. was installed on 21.4.2017 in his premises, in support of his claim that only after installation, he used the power supply for his A.C. in the office.

9. In view of the nature of the respective contentions, the efforts at mediation failed. On the basis of the material on record, the following issues are settled for determination:

- a. Whether there was excessive billing for the period from December,2016 to April,2017 as claimed by the Appellant?
- b. Whether the consumer bills were revised for 9 months from Nov,2016 and an amount of Rs 625/- was withdrawn during the month of Sep,2017?
- c. Whether there was consumption of power through the service connection from Dec,2016 to 22.4.2017?
- d. Whether the impugned orders are liable to be set aside?

ISSUES 1 to 4

10. The Appellant asserted that on SC No. BZ064815 an excess bill was issued for the month of May, 2017. According to him, he secured the premises (i.e.adjacent shutter) in the month of December,2016 and kept it idle without any activity till July,2017. During the month of April, he has connected a One Ton Air Conditioner to the Service Connection. From December,2016 to April,2017 he received minimum bills with '0' consumption units for an amount of Rs 300/- each. From May,6th onwards, the consumption units suddenly jumped to 890 Units resulting in billing for

Rs 5,926/-. He has used the A.C. from 21.4.2017 to 28.4.2017 and the bill for 15 days was raised for 890 units, which is abnormally high. On his complaint, the meter was tested in the lab and the functioning of the meter was found normal.

11. The CGRF held that from November,2016 to April,2017 the bills were issued under wrong status i.e. 09 (Not in use) though the meter was working normally and hence, the CGRF directed the respondents to revise the bills from March,2017 to May,2017 and rectify the excess bill by issuing a revised bill. However, the bills were revised for 9 months from November,2016, and an amount of Rs 625/- was withdrawn during the month of Sep,2017 by the DISCOM.

12. According to the ADE/OP/Balanagar the meter was tested in the MRT lab Erragadda showing the performance of the meter as satisfactory.

13. The MRT report filed by the Respondents show the details and test results of the meter conducted by AE/MRT on 9.5.2017 as follows:

After testing the 6 months data, the consumption recorded in the meter was found as follows:-

Sl.No.	KWH (Reading)	M.D(KW)(Recorded)	Date	Time
1	34083.7	0.0	12.01	00.00
2	34194.7	0.508	12.31	23.30
3	34520.1	0.516	01.01	23.30
4	34758.6	0.510	02.13	22.30
5	34923.3	0.478	03.13	23.00
6	34956.4	1.320	04.22	12.30

The meter was tested with ERS kit and the meter error was found within the permissible limit.

The following persons were present at the time of testing:

ADE/SPM/LT-METERS/HYD/NORTH

AE/LT-METERS/HYD/NORTH

Sri.P.Mallaiah Sub-eng/OP/Ferozguda

Consumer Representative: Sri. D. Rajababu

14. In addition to the above, the ADE/OP/Balanagar alleged that on inspection, it was noticed that the Appellant utilised power supply connected to A.C. for office purpose, which falls under the Category LT II and whereas, the service connection No. BZ064815 is being billed under Industrial Category LT III, which is an irregularity, since the power supply was being used for other than the sanctioned purpose.

15. The Appellant submitted a copy of the service/installation report from Weather Tech Engineers revealing that the technician visited the premises in question and installed the A.C. on 21.4.2017. The Appellant has obviously questioned the performance of the meter, when he received the electricity bill on May,6th for consumption of 890 units for Rs 5,926/- purportedly for only 15 days consumption, on the ground that he has not used any other electrical appliance other than the A.C. in the premises.

16. The A.C. was installed on 21.4.2017 and this fact can be correlated with the lab test report data dt.10.5.2017 extracted in para 13 supra. The test report confirms that the meter recorded the Maximum Demand in KW of 1.320 on 22.4.2017 at 12.30 Hrs the date of installation of AC. The MRT test report data also reveals that prior to usage of A.C., every month constantly, the meter recorded Maximum Demand of 0.5 KW, which shows that the billing was wrongly made for '0' units, in spite of usage of around 0.5 KW load. The Appellant however denied this fact of usage of supply and claimed that there was no usage of supply, prior to the installation of A.C., which is found as not correct and not supported by any data.

17. Mere denial of non usage of supply prior to the installation of A.C. by the Appellant, has no substance in the face of reliable data retrieved from the meter by AE/MRT/LT LAB, which gives data of usage of supply in Maximum Demand with date and time. Therefore, when meter fault is ruled out, the wrong billing is the only possibility that can be inferred based on the available facts.

18. The revision on the complaint of wrong billing was carried out and as a result, an amount of Rs.625/- was withdrawn in the bill for the month of September -2017 as disclosed in the Energy Billing System (EBS) extract. Thus, the plea for further relief is not tenable in the present case. There is no ground to interfere with the impugned orders. The issues are answered accordingly.

19. In the result, the Appeal is disposed of as follows:

- a. There is no excess billing as claimed by the Appellant during the months of December,2016 to 22.4.2017 (except for Rs 625/- withdrawal).
- b. The consumer bills were revised for 9 months from November,2016 and an amount of Rs 625/- was withdrawn during the month of September,2017.
- c. There was consumption of power from the Service connection in question from December,2016 to April,2017 as shown in the MRT test report dt.9.5.2017.
- d. The impugned orders are confirmed.

20. The licensee shall comply with and implement this order within 15 days for 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 21st day of October, 2017.

Sd/-

Vidyut Ombudsman

1. M/s. Lokesh Machine Tools, represented by Sri. D. Raja Babu, Plot No. 54, Shop No. 2-103/18/B, Akshaya Enclave, Shobana Colony, Bala Nagar, Secunderabad - 500 042. Cell : 9440371347 & 040-22770518
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5. The SE/OP/Hyd.North Circle/TSSPDCL/Hyderabad.

Copy to :

6. The Chairperson, Consumer Grievance Redressal Forum, Greater Hyderabad Area, TSSPDCL, Vengal Rao Nagar, Erragadda, Hyderabad - 500 045.
7. The Secretary, TSERC, 5th Floor Singareni Bhavan, Red Hills, Lakdikapool,Hyd.