



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 Thirtieth Day of December 2017

Appeal No. 29 of 2017

Preferred against Order Dt.03.06.2017 of CGRF in
C.G.No.1119/2016-17/Hyderabad North Circle

Between

Sri.M. Chiranjeevi Rao, H.No.8-3-374/1, Yellareddyguda, Ameerpet,
Hyderabad - 500 017. Cell : 9394771115.

... Appellant

AND

1. The ADE/OP/Ameerpet/TSSPDCL/Hyderabad.
2. The AAO/ERO/Banjara Hills/TSSPDCL/Hyderabad.
3. The DE/OP/Erragadda/TSSPDCL/Hyderabad.
4. The SE/OP/Hyd.North Circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 07.09.2017, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 08.11.2017 at Hyderabad in the presence of Sri. M. Chiranjeevi Rao - Appellant and Sri. G. Hari Krishna - ADE/OP/Ameerpet, Sri. K. Chandra Mohan - AAO/ERO-XI/Banjara Hills for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

Appellant is a consumer with SC No. S1027792. He is claiming that he has been issued with an excess and a wrong consumption bill in the month of May, 2016 for Rs. 45,529.32 ps and lodged a complaint for rectification of the bill.

2. The First Respondent/ ADE/ O/ Ameerpet through letter dt. 20.4.2017 submitted before the CGRF that the service connection in question stands in the name of Sri. Mohammed Zahooruddin and there are three other service connections in the premises being utilised for running a hostel. The CC bill of May, 2016 for Rs. 45,529.32

was issued for consumption of 4,692 units for the service connection in question. He stated that on the complaint of the consumer, the meter was tested in the MRT lab and the meter functioning was found normal. He claimed that the consumption of the services in the premises have been not constant and opined that the consumer might have consumed the power for which the CC bill was issued in May 2016.

3. During the enquiry, the Appellant appeared and gave a statement before the forum about the excess bill, while pleading that the normal bills have been in the range of Rs. 3,000/- to Rs. 4,000/- and sought revision of the excess bill at an early date.

4. On behalf of the Respondents, the First Respondent/ADE/OP/Ameerpet appeared and stated that the meter of the consumer was tested in the MRT lab and it was found in normal working condition and therefore the bill was not revised.

The CGRF noted the following MRT data of the meter extracted on 11.5.2016 during the test:

S.No.	KWH(Reading)	M.D(KW)(Recorded)	DATE	TIME
1	14079	2.22	03.04.2016	07.30
2	13434	2.50	31.03.2016	08.00
3	12838	2.53	15.02.2016	08.30
4	12364	2.36	29.01.2016	10.30
5	11924	2.49	25.12.2015	08.00
6	11389	2.67	03.11.2015	08.00

5. The CGRF observed that the meter reading showed 7706 in the EBS (based on the readings furnished by the meter reader) while the actual reading as on 03.11.2015 was 11389. Similarly, EBS statement on 31.03.2016 shows 9099 reading and whereas the MRT report disclosed the reading as 13,434. The CGRF found that on 03.04.2016 the EBS statement showed the reading as 9528 and whereas MRT report showed the reading as 14079. From this data, the CGRF observed that the variation in the reading disclosed that the meter reader had colluded with the complainant/

consumer for suppressing the meter reading, recommended action against the meter reader and rejected the complaint through the impugned orders.

6. Aggrieved and not satisfied with the Impugned orders, the Appellant preferred that present Appeal claiming that he has been issued with a consumption bill for RS. 46,000/- which is excessive and that something happened when the neighbouring meter got burnt and the meter (in question) jumped in the reading. He demanded checking of the meter. The Respondents assured him that on condition of deposit of Rs. 20,000/-, they would restore power and disconnected the supply. He paid Rs. 20,000/- on the spot and got the power restored. He claimed that he has not committed any crime and sought enquiry into the matter.

7. The First Respondent/ ADE/ O/ Ameerpet filed a reply dated 04.10.2017 in the Appeal stating that the Appellant took the premises on lease for running a hostel and that he has been served with a CC bill in the month of May, 2016 for Rs. 45,529.32 for consumption of 4692 units which remained unpaid and that on the complaint of the Appellant, the meter was taken to the LT meter lab for testing and the AE/LT meters tested the meter and found it functioning correctly, which was conveyed to the Appellant, who was present at that time and that based on the MRT test report, it was found that there was suppression of the meter readings when compared with EBS readings. He further stated that the meter reader, who was responsible, is no more and therefore, no action could be taken against him indicating that the meter reader was responsible for the suppression of correct meter readings. He admitted that the Appellant paid Rs. 20,025/- on 23.08.2017.

8. Mediation has not been successful, in view of the rival contentions of the parties and therefore, the matter is being disposed of on merits.

9. Based on the material on record, the following issues arise for disposal.

Issues:

1. Whether the appellant is liable to pay Rs. 45,529.32 for consumption of 4692 units pertaining to the service connection no. S1027792?
2. Whether there is suppression of the consumption and the meter reader was responsible for this suppression?
3. Whether the impugned orders are liable to be set aside?

Heard

Issues 1 to 3.

10. The Appellant pleaded for withdrawal of the abnormal bill raised during the month of May,2016 for Rs. 45,529.32 for consumption of 4692 units from the service connection in question. On seeing the abnormal bill, according to the Appellant, he complained about the working condition of the meter. On such complaint, the meter was tested in the MRT lab and it was found working normally. The following is the data of the meter which was tested on 11.05.2016. The meter was tested with an ERS kit and the meter error was found within the permissible limit. The following table would show the consumption pattern extracted from MRI data and also the meter error with EBS statement.

S.No.	KWH(Reading)	M.D(KW)(Recorded)	DATE	TIME
1	14079	2.22	03.04.2016	07.30
2	13434	2.50	31.03.2016	08.00
3	12838	2.53	15.02.2016	08.30
4	12364	2.36	29.01.2016	10.30
5	11924	2.49	25.12.2015	08.00
6	11389	2.67	03.11.2015	08.00

11. A comparative reading of EBS statement and MRT data discloses the meter reading as follows:

Date	Readings furnished by EBS (based on readings given by the meter reader)	Reading as per MRT Data
03.11.2015	7706	11389
31.03.2016	9099	13434
03.04.2016	9528	14079

12. The above comparative statement clearly discloses that the meter reading furnished by the meter reader during the above dates differ with the actual meter reading available through MRT lab report. The six months data shown in the previous table prior to the date of testing on 11.05.2016 does not indicate any excess maximum demand. There is variation of MD around 2.5 KW which eliminates the other possibility of either a short circuit or any other irregularity. Therefore, the consumption bill for 4692 units for one month is almost ten times the average monthly consumption. The First Respondent, through his letter dated 04.10.2017, indicated that the incorrect meter readings were fed into EBS system (fictitious readings) and further the meter reader has expired. The First Respondent stated that and therefore, no action could be taken against the meter reader. This statement of the First Respondent and also the readings furnished by the EBS when compared with the readings found in the MRT data (which is the correct data) clearly indicates the fictitious meter reading furnished by the meter reader. In case of fictitious meter reading, the consumer is not going to get benefitted, unless it is deliberately done for the benefit of the consumer in connivance with the meter reader. In this case, the burden of paying the consumption bill on the Appellant would never recede. The material on record clearly establishes that it was the lazy meter reader who noted the fictitious reading and fed it into the EBS system.

13. The consumption bill is found to be correct, but the abnormal bill as alleged by the Appellant remained also correct and at the same time, it can be said that by getting the reduced bills, the Appellant was benefitted only to pay later. The sudden burden of paying RS. 40,529.32 in the month of May, 2016 at one time, when the Appellant was not expecting such a bill and when he was in the dark about the fictitious reading indulged in by the meter reader leading to his present difficulty, the Appellant should not be taxed and the situation needs to be corrected and compensated.

14. The Appellant is not at fault in the present matter which arose because of the mischief of the meter reader and therefore, the Appellant has to be compensated for the difficulty he was put in. Thus, the Appellant is found entitled to compensation of Rs. 5,000/- which shall be collected by the DISCOM from the wrongdoer after enquiry and for the rest of the amount (Rs.40,529.32 ps less Rs.20,000 already paid and compensation Rs 5,000/- = balance Rs 20,529/-) Rs 20,529/- the Appellant has to be given an opportunity to pay in ten equal monthly instalments, starting from the month

of February, 2018. Failure to pay even one instalment would make the entire amount due with its consequences. The impugned orders are accordingly set aside. The issues are answered accordingly.

15. In the result the appeal is allowed with the following directions:

1. The Appellant is found liable to pay Rs. 20,529/- (Rs. 45,529.32 - Rs 20,000/- = Rs 25,529.32 - Rs 5,000/- = Rs 20,529/-) in ten equal monthly instalments starting from the month of February 2018. Failure to pay even one instalment would make the entire balance amount fall due with its consequences.
2. The Appellant is awarded compensation of Rs. 5000/- for the trouble he was put in for no fault of his which shall be adjusted in the consumption bills.
3. The Respondents are free to recover the amount of Rs. 5000/- representing compensation payable to the Appellant from the meter reader/his estate at their discretion.
4. The impugned orders are set aside.

16. 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 30th day of December, 2017.

Sd/-

Vidyut Ombudsman

1. Sri.M. Chiranjeevi Rao, H.No.8-3-374/1, Yellareddyguda, Ameerpet, Hyderabad - 500 017. Cell : 9394771115.
2. The ADE/OP/Ameerpet/TSSPDCL/Hyderabad.
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4. The DE/OP/Erragadda/TSSPDCL/Hyderabad.
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, Lakdikapul, Hyd.