



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA
First Floor 33/11 kV Substation, Beside Hyderabad Boat Club
Lumbini Park, Hyderabad - 500 063

PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN

WEDNESDAY THE EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

Appeal No. 37 of 2022-23

Between

Smt. Jhansi Panchagiri, H.No.16-1-282/1, S.R.R.Thota Village and Mandal,
Warangal District - 506 002, Cell: 7780198612.

.....Appellant

AND

1. The Assistant Engineer/Operation/Karimabad - 9440811351.
2. The Assistant Divisional Engineer/Operation/Shambunipet-8331035002.
3. The Assistant Accounts Officer/ERO/A.J.Mills - 790165993.
4. The Divisional Engineer/Operation/Warangal-9440811313.

..... Respondents

This appeal is coming on before me for final hearing on 15.02.2023 in the presence of Sri P. Sandeep, authorised representative of the appellant, Sri M. Sarveshwar - ADE/OP/Shambunipet and Sri G. Kamalakar - AAO/ERO/A.J.Mills for the respondents and having stood over for consideration till this day, this Vidhyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - I (in short 'the Forum') of Telangana State Northern Power Distribution Company Limited (in short 'TSNPDCL') in C.G.No 422/2022-23 of Warangal Circle dated 14.12.2022, closing the

complaint.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that the respondents have released Service Connection No.15164-149696, Category-I to H.No 16-1-282/1 S.R.R Thota Village and Mandal Warangal District. The appellant has alleged that the respondents have issued an abnormal electricity bill for the month of March 2022 for Rs. 18,490/- in respect of the subject Service Connection. Therefore it was prayed to rectify the same.

REPLY OF THE RESPONDENT BEFORE THE FORUM

3. In the written reply submitted by respondent No.3, it is stated that the subject Service Connection was released in April 2021. The first bill was issued in March 2022 for 3767 units of Rs. 18,490/- duly bifurcating the units from the date of release. The consumer paid Rs. 5,161/- from monthly average bill for the period from April 2021 to February 2022 and it was adjusted in March 2022.

AWARD OF THE FORUM

4. After hearing both sides and after considering the material on record, the learned Forum has closed the complaint holding that the appellant is liable to pay the demanded amount.

5. Aggrieved by the Award passed by the Forum, the present appeal is preferred, contending among other things, that the Forum has

not considered the material placed before it properly.

WRITTEN SUBMISSION OF THE RESPONDENTS

6. In the written submission of respondent No 2, it is stated that from April 2021 to December 2022 for (19) months the average units are $19 \times 421 = 7999$ as per the LT Lab test report. There was no display of the meter due to defect as such the manual billing was done.

7. In the written submission of respondent No 3, it is stated that from March 2022 to September 2022 IRDA bills were issued which are correct.

8. Heard both sides

POINTS

9. The points that arise for consideration are:-

- i) Whether the impugned bill issued by the respondents is correct?
- ii) Whether the impugned Award of the learned Forum is liable to be set aside? and
- ii) To what relief?

POINT No. (i) and (ii)

ADMITTED FACTS

10. It is an admitted fact that the respondents have released subject Service Connection in favour of the appellant in April 2021. During the pendency of the present appeal the appellant paid Rs 8,800/-.

SETTLEMENT BY MUTUAL AGREEMENT

11. Both the parties have appeared before this Authority on different dates. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put-forth their case and they were heard.

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

12. This appeal was filed on 11.1.2023. This appeal is being disposed of within (60) days as required as such there is no delay.

CRUX OF THE MATTER

13. The appellant Smt. Jhansi Panchagiri, r/o. H.No.16-1-282/1, S.R.R. Thota Village and Mandal, Warangal having a domestic Service Connection No. 11564-149696 filed the present appeal for rectification of abnormal bill issued in March 2022. An amount of Rs 18,490/- was issued for 3767 units, which is the first bill issued after releasing the Service Connection on 15.04.2021. The issued bill was apportioned the total units of 3767 from the date of release. The appellant reported that the first month bill was issued during May 2021 for an amount of Rs 13,000/- as told by the meter reader, but he did not generate the bill suspecting the meter as faulty. The appellant held that there was no response from the Assistant Engineer and Lineman in regard to the issue of proper electricity bill in spite of several visits to the office. After nine months he was informed to pay an amount of Rs. 5,161/-

stating the meter issue is sorted out. But again in the next month bill was issued for an amount of Rs. 18,490/-. On raising the complaint he was told to pay the DD which was paid vide DD.No 103263 dt: 16.04.2022 for an amount of Rs. 118/- towards the meter challenge test. It took further seven months for the respondents conducting the meter testing during the month of December 2022. The meter testing results could not retrieve the data of the meter since the meter was having no display and there was no blinking of the light showing the working of the meter. The Assistant Divisional Engineer / LT and CT meters advised to replace the meters and bill the Service Connection under struck off status based on the consumer load. Under the given circumstances the appellant claimed to revise the bill duly calculating Rs. 600/- per month.

14. Respondent No.3 AAO/ERO/A.J. Mills stated that the meter reader submitted the bill for the month of 03/2022, through InfraRed Data Association (in short 'IrDA'). Based on the statement of the meter reader, it appears that the appellant did not allow to issue the bill since the bill amount was on the high side, the previous bills were not issued. The ADE/Operation/Shambunipet submitted that the premises was inspected on 16.01.2023 and the connected load was 2982 Watts. The bills issued were reasonable compared with the average units based on the connected load.

15. The rival contentions of both sides go to show that the respondents delayed the issue of bills from the date release of Service Connection. The

reason stated was that the meter functioning was suspected and abnormal bill of Rs 13,000/- was raised during the month of 2021, though it was not issued to the appellant due to his resistance. The primary duty of the respondents was to issue the bill promptly and rectify the issue raised by the appellant against the bill. But the bills were not issued until March 2022, (10) months after the release of Service Connection, which is grave negligence on the part of the respondents. Further on payment of DD towards meter testing on 16.4.2022, the testing was conducted after (6) months maintaining the delay of addressing the grievance of the appellant. It is found that there is negligence on the part of the respondents repeatedly causing hardship to the appellant. Hence the appellant is entitled to claim compensation for such delay in addressing the grievance.

16. In regard to the excess billing, initially the bills were issued through IrDA which is nothing but wireless data transfer using point and shoot principles. These meters having IrDA protocols omit the manual readings of the energy meters and rule out errors in taking the readings. Through such a mechanism the reading was captured during the month of March 2022, subsequently continued to bill through IrDA. On the complaint of the appellant the meter was tested and found that there was no display and data in the meter. The meter was replaced with the healthy meter. But the consumption recorded through IrDA previously cannot be excluded. Since there is no provision of manhandling in recording the consumption in the meter. Hence in

view of apportioning total consumption from the date of release of the Service Connection and deducting the amount liable it is found that there are no further provisions to withdraw the bills. Hence the appellant is liable to pay the amount less the compensation amount to be paid by the licensee in equal monthly instalments. Accordingly, I hold that the impugned bill issued by the respondents is correct and the impugned Award is not liable to be set aside to this extent.

POINT No. (iii)

17. In view of the findings on point Nos. (i) and (ii), the appeal is liable to be rejected as far as the impugned bill is concerned. However, in view of the delay stated above the DE/Operation/Warangal is directed to take necessary action to pay the compensation recovery from the employees who are held responsible for the negligence of duties and adjust the said amount in the future CC bills of the appellant Service connection. The appellant is liable to pay the balance amount and in view of the hardship faced by the consumer he is entitled (6) equal monthly instalments starting from the month of April 2023, failure to pay any single instalments would make the entire balance due recoverable in lump sum amount.

RESULT

18. In the result, the appeal is allowed in part in respect of compensation. Since, there is a delay in issuing the first bill to the appellant by the respondents, the respondents are directed to pay compensation of Rs.

5,000/- (rupees five thousand only) to be adjusted in the next bill. The appeal in respect of the impugned bill is rejected. The Divisional Engineer/Operation/Warangal is directed to take necessary steps to recover Rs.5,000/- stated above from the erring employees. The appeal in respect of the impugned bill is rejected.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by the Private Secretary, corrected and pronounced by me on this the 8th day of March 2023.

Sd/-
Vidyut Ombudsman

1. Smt. Jhansi Panchagiri, H.No.16-1-282/1, S.R.R.Thota Village and Mandal, Warangal District - 506 002, Cell: 7780198612.
2. The Assistant Engineer/Operation/Karimabad - 9440811351.
3. The Assistant Divisional Engineer/Operation/Shambunipet-8331035002.
4. The Assistant Accounts Officer/ERO/A.J.Mills - 790165993.
5. The Divisional Engineer/Operation/Warangal-9440811313.

Copy to

6. The Chairperson, Consumer Grievances Redressal Forum of TSNPDCL- I, H.No.2-5-58, Opp: Head Post Office, Nakkalagutta, Hanamkonda, Warangal District, Pin code - 506001.