



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**

FRIDAY THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

Appeal No. 43 of 2023-24

Between

M/s. Om Shiva Active Refiners, represented by Sri Lanka Kiran, s/o. L.V.Ramana Rao, Flat No. 401, KGM Enclave, Hill County Road, Bachupally, Hyderabad - 500 090. Cell: 8074994759.

.....Appellant

AND

1. The Assistant Divisional Engineer / Operation / Peddamul / TSSPDCL / Vikarabad District.
2. The Assistant Divisional Engineer /Operation / Tandur / TSSPDCL / Vikarabad District.
3. The Assistant Accounts Officer/ERO/Tandur/TSSPDCL/Vikarabad District.
4. The Divisional Engineer /Operation /Tandur/TSSPDCL/Vikarabad District.
5. The Senior Accounts Officer /Operation / Vikarabad Circle / TSSPDCL /Vikarabad District.
6. The Superintending Engineer / Operation /Vikarabad Circle / TSSPDCL / Vikarabad District.

..... Respondents

This appeal is coming on before me for the final hearing on 07.02.2024 in the presence of Sri Lanka Kiran - appellant in person and Sri R. Adinarayana - ADE/OP/Tandur and Sri Ch.Venkata Reddy - ADE/HT Meters/Vikarabad for respondents and having stood over for consideration till this day, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - (Greater Hyderabad Area) (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No.76/2023-24/Vikarabad Circle dt.30.09.2023, allowing the complaint in part.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The respondents have released HT Service Connection No. 2517 000628 (in short 'the subject Service Connection') to the appellant in Sy.No.90/AA, Janagam Village, Peddamul Mandal, Vikarabad District. The respondents have been charging the bills with HT Tariff rates from January 2023 even though the subject Service Connection is under LT-Category III. The respondents have posted HT flag against the subject Service Connection in January 2023 due to Recorded Maximum Demand (in short 'the RMD') as 99.95. Thereafter the respondents have removed the said HT flag in March 2023. In April 2023 also the bill was issued under HT Category due to recording of service RMD 198 KVA. The existing DTR is 100 KVA. Therefore there is no possibility to record the RMD as 198 KVA. Accordingly it was prayed to direct for removal of the HT flag and to withdraw the claim of HT Tariff rates from January 2023.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

3. In the written reply filed by respondent No.2 to 4 and 6 separately before the learned Forum, it is submitted that in January and February 2023, the Recorded Maximum Demand beyond the Contracted Load was 133.97 HP and 128 HP respectively. Therefore, HT flag was posted against the subject Service Connection and it was billed under HT Category. On receipt of complaint from the appellant the HT flag was removed in March 2023. But in April 2023 the subject Service Connection recorded abnormal Maximum Demand as 198 KVA as such the appellant was billed under HT Category. The abnormal RMD was recorded due to non-maintaining of Power Factor by the appellant.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has allowed the appeal giving some relief to the appellant.

5. Aggrieved by the said Award of the learned Forum, the present appeal is preferred, contending among other things, that for the month of April 2023, the actual KWH is 3118 and KVAH is 3826, which is stated as 9900 reason for showing Power Factor as 0.31. The appellant maintained the Power Factor as 0.81 consistently. It is accordingly prayed to direct the respondents to identify the reasons for shooting up of RMD during January, February and April 2023.

WRITTEN SUBMISSION OF RESPONDENTS

6. In the written submission of respondent No.2, before this Authority, it is, inter-alia, submitted that the abnormal bill for the month of April 2023 in respect of the subject Service Connection is for recording 198 KVA and Power Factor as 0.31. The meter of the subject Service Connection was tested by the respondents and the errors were within limits.

7. In the written submission of respondent No.3 and 6 separately they too mentioned the similar contents mentioned in the written reply of respondent No.2.

ARGUMENTS

8. The appellant has submitted that though the learned Forum has passed the Award in his favour in part, the respondents have not implemented it and he accordingly prayed to direct the respondents to revise the bills during January, February and April 2023.

9. It is argued on behalf of the respondents that now they have revised the bills of the subject Service Connection for the relevant months.

POINTS

10. The points that arise for consideration are:-

- i) Whether the appeal is liable to be closed in view of the revision of the bills? and
- ii) To what relief?

POINT No. (i)

ADMITTED FACT

11. It is an admitted fact that the respondents have released the subject Service Connection to the appellant at Janagam Village.

SETTLEMENT BY MUTUAL AGREEMENT

12. Both the parties have appeared before this Authority. 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

13. The present appeal was filed on 24.11.2023. This appeal is to be disposed of within the period of (60) days. There is a delay of (15) days. The reason for the delay is that during the pendency of the appeal, the subject meter was sent for analysis and report by the manufacturer of the meter.

CRUX OF THE MATTER

14. As already stated the learned Forum has given partial relief to the appellant. However, this Authority directed for testing of the subject meter by its manufacturer. The meter was tested and it is opined that there is defect in the meter. The report is as under:-



L&T Electrical & Automation

A unit of Schneider Electric India Private Limited
Metering & Protection Systems, Mysuru

ANALYSIS REPORT

VIDYUT OMBUDSMAN TELANGANA STATE INWARD
31 JAN 2024
No. 568
Sign. R

Document No	45-CUSTCOM-01811
Complaint Reference	Thru Service Centre
Customer Name	TSSPDCL
Sales Office Representative	GSR
Complaint Received Date	29-01-2024
Product Details	3P4W 63.5V 5-10A 0.2S RS232 C1 TSSPDCL
Product Serial Number & Version	20300235
Month & Year of Manufacturing	Jul-20

Complaint Description (As reported by Customer)
High MD. MD Date stamps were disturbed.

Observations (Non-conformity details as observed):
<ul style="list-style-type: none">Meter's downloaded data received from field for analysis purpose.

Analysis:
<ul style="list-style-type: none">Received data is verified and observed RTC related information is disturbed hence recorded data w.r.t RTC is abnormal i.e. MD values with date & time, Load survey etc.RTC disturbance is suspecting might be because of meter's internal issues hence meter is defective.

Photos
NA

Disposition:
Meter is defective and suggested to replace.

Electronically sent hence signature not required.

As per the above said analysis in the report it can be concluded that there is defect in the meter of the appellant. Since there is defect in the said meter there was an abnormal bill of the subject Service Connection.

15. During the course of arguments, the respondents have filed the copy of the revised bill for the relevant months. The said revised bill is as under:-

Consumption, Billing, Collection and Arrears Particulars (Head Wise) of M/S OM SHIVA ACTIVA REFNERS (SC.NO.2517000628)

Month/YR.	Bill MD	KVAH Units	PF	Already Billed					Collection (Rs.)	Closing (Rs.)	To be Billed			Difference			To Be Withdrawn
				Eng. Chg	Fix.Chg	Cust. Chg	CC Total	Total	Total	Total	Eng. Chg	Fix.Chg	Cust. Chg	Eng. Chg	Fix.Chg	Cust. Chg	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
DEC/2023	59.4	3247	0.79	26463.81	28215	2000	69090.82	68955.00	0.00	969390.00	25001.9	5568.75	1200	1461.91	22646.25	800.00	24908.16
NOV/2023	59.4	4770	0.90	38875.82	28215	2000	69090.82	80863.00	0.00	900435.00	36729	5568.75	1200	2146.82	22646.25	800.00	25593.07
OCT/2023	59.4	3927	0.74	32005.75	28215	2000	62220.75	72176.00	0.00	819572.00	30237.9	5568.75	1200	1767.85	22646.25	800.00	25214.10
SEP/2023	59.4	8143	0.91	66366.35	28215	2000	96581.35	105937.00	0.00	747396.00	62701.1	5568.75	1200	3665.25	22646.25	800.00	27111.50
AUG/2023	59.4	5432	0.93	44270.67	28215	2000	74485.67	82416.00	0.00	641459.00	41826.4	5568.75	1200	2444.27	22646.25	800.00	25890.52
JUL/2023	59.4	5306	0.79	43244.19	28215	2000	73459.19	80292.00	0.00	559043.00	40856.2	5568.75	1200	2387.99	22646.25	800.00	25834.24
JUN/2023	59.4	2970	0.56	23752.74	28215	2000	53967.74	59765.00	0.00	478751.00	22869	5568.75	1200	883.74	22646.25	800.00	24329.99
MAY/2023	66.25	5175	0.76	42176.90	31468.75	2000	75645.65	78970.63	0.00	418986.00	39847.5	5568.75	1200	2329.40	25900	800.00	29029.40
APR/2023	198	3826	0.31	93177.80	152831.25	2000	248009.05	249837.00	0.00	345099.00	29460.2	5568.75	1200	63717.60	147262.50	800.00	211780.10
MAR/2023	59.4	6272	0.78	51116.95	28215	2000	81331.95	82515.00	90000.00	95262.00	48294.4	5568.75	1200	2822.55	22646.25	800.00	26268.80
FEB/2023	95.49	4286	0.51	44484.72	55446.75	2000	101931.47	103405.00	44485.00	102747.00	33002.2	5568.75	1200	11482.52	49878	800.00	62160.52
JAN/2023	99.95	3807	0.53	46172.27	59683.75	2000	107856.02	108283.00	108283.00	43827.00	29313.9	5568.75	1200	16858.37	54115	800.00	7173.37
				552107.97	525150.50	24000.00	1113670.48	1173414.63	242768.00		440140	66825	14400	111968	458325.50	9600.00	579893.77

[Signature]
Superintending Engineer,
Operations, TSSPDCL,
VIKARABAD

16. Now the respondents have submitted that the amount mentioned in Column No. 18 is the withdrawal amount from the bills. The total bill amount is shown in Column No. 9. The amount already paid is mentioned in Column No.10. The appellant paid Rs.2,50,000/- recently. The calculation is as under:-

1. Total amount of the bill as per Column No.9		Rs.11,73,415/-
2. Amount withdrawn as per revised slabs as mentioned in Column No.18	Rs.5,79,894/-	
3. Amount paid by the appellant as shown in Column No.10	Rs.2,42,768/-	
4. Amount paid by the appellant recently	Rs.2,50,000/-	
5. Total amount paid	Rs.10,72,662/-	Rs.10,72,662/-
6. Balance amount to be paid		Rs.1,00,753/-

In view of the above factors, the appeal is liable to be closed.

Point No.(ii)

17. In view of the finding on point No.(i), the appeal is liable to be closed.

RESULT

18. In the result, the appeal is closed. The appellant is liable to pay only Rs.1,00,753/- (Rupees one lakh seven hundred fifty three only) to the respondents, which shall be paid immediately.

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

Typed to my dictation by Office Executive-cum-Computer Operator, corrected and pronounced by me on this the 9th day of February 2024.

Sd/-

Vidyut Ombudsman

1. M/s. Om Shiva Active Refiners, represented by Sri Lanka Kiran, s/o. L.V.Ramana Rao, Flat No. 401, KGM Enclave, Hill County Road, Bachupally, Hyderabad - 500 090. Cell: 8074994759.
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6. The Senior Accounts Officer /Operation / Vikarabad Circle / TSSPDCL /Vikarabad District.

7. The Superintending Engineer / Operation /Vikarabad Circle / TSSPDCL / Vikarabad District.

Copy to

8. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL- Greater Hyderabad Area, Door No.8-3-167/E/1, Central Power Training Institute (CPTI) Premises, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad - 45.

