



BEFORE THE VIDUYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Hyderabad Boat Club Lane
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDUYUT OMBUDSMAN**

WEDNESDAY THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

Appeal No. 46 of 2021-22

Between

Sri Krishna Kumar Gupta, s/o. Late Sri. Harbanslal Gupta, Flat No.406,
Sri Srinivasa Homes, Shiva Enclave, Dubai Gate, Old Bowenpally,
Secunderabad - 500 011. Cell No. 9246891115. **.....Appellant**

AND

1. The Assistant Engineer / Operation / Gymkhana / TSSPDCL / Hyderabad.
2. The Assistant Divisional Engineer / Operation /Marredpally / TSSPDCL / Hyderabad.
3. The Assistant Accounts Officer / ERO / R.P.Nilayam / TSSPDCL / Hyderabad.
4. The Divisional Engineer / Operation / Secunderabad / TSSPDCL / Hyderabad.
5. The Superintending Engineer / Operation / Secunderabad Circle / TSSPDCL / Hyderabad. **..... Respondents**

This appeal is coming on before me for final hearing on 19.09.2022 and 26.08.2022 in the presence of the appellant and Sri D.Ashok Kumar - AAE/OP/Gymkhana, Sri B. Vijay Kumar - ADE/OP/Marredpally, Smt. B. Vijayalatha - AAO/ERO/RP Nilayam and Sri E. Suchindranath - DE/OP/Secunderabad representing the respondents and having stood over for consideration till this day, this Viduyut Ombudsman passed the following:

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - Greater Hyderabad Area, Hyderabad

- 45 (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No.88/2021-22/Secunderabad Circle, rejecting the complaint.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The appellant has (3) Service Connections bearing Service Connection Nos. BZ016400, BZ016401 and BZ017967 installed at his complex, at Tadbund, Gymkhana, Secunderabad. The complex was closed and the electricity was not used much since July 2020. The appellant has been paying all the bills regularly in respect of the above said Service Connections. From March 2021 onwards, S.C.No. BZ16400 and BZ16401 started giving wrong display resulting in higher billing. The said meters were tested and found that S.C.No. BZ016400 was good but the meter of S.C.No.BZ016401 was faulty and it was not displaying anything. Respondent No.1 assured the appellant that the inflated bills of the appellant will be settled but they were not settled. The meter was changed on 24.08.2021. Therefore it is prayed to direct the respondents to revise the excess bills on S.C.No.BZ016401.

CASE OF THE RESPONDENTS BEFORE THE FORUM

3. Respondent No.3 filed the written submissions stating that as per Electronic Billing System (in short 'EBS') history, the bills were issued to the consumer (appellant) for the months of February 2021 and March 2021 in '01' status, from April 2021 to June 2021 in '09' status and July 2021 bill was issued with consolidated units. The bills of the appellant were revised for the period

from April 2021 to July 2021 and an amount of Rs.571.41/- has been withdrawn. The consumer is due to pay Rs.6881.59 pertaining to the period from April 2021 to November 2021.

4. In the written submissions filed by respondent No.2, it is stated that according to the appellant the EBS report from March to July 2021 meter reading observed as 'NIL' consumption from April to June 2021. That 'NIL' consumption is due to door lock in lockdown period and also the shutter was closed. But the active Infra-Red (in short 'IR') reading in July was 14437, for that average consumption for the above period was applied for rectification. An amount of Rs.571/- was credited to the account of the appellant but the appellant was not satisfied.

AWARD OF THE FORUM

5. After considering the material on record and after hearing both sides, the Forum has rejected the complaint giving liberty to the respondents to collect the arrears from the appellant and shall act accordingly as per the Rules.

6. Aggrieved by the Award passed by the Forum in rejecting the complaint, the present appeal is preferred, contending among other things, that the complex of the appellant has been closed and there was no much consumption of electricity since July 2020. Hence it is prayed to waive Rs.9,891/-.

GROUND OF THE APPEAL

7. In the grounds of the appeal, it is, inter-alia, submitted that after changing the meter the respondents have again raised the bill for 223 units at higher slab of Rs. 2260/- from 13.08.2021 to 11.09.2021, while the meter was changed on 24.08.2021. On 08.12.2021, the appellant checked and found that there is consumption of 232 units and again higher slab rate was charged.

8. The appellant also filed a representation before this Authority reiterating the contents of the appeal and prayed to look into the matter.

9. The respondent No.2 has also submitted written submissions in reply to the representation of the appellant before this Authority reiterating the contents made earlier. It is accordingly prayed to dismiss the appeal.

ARGUMENTS

10. The appellant has submitted that though the premises was locked at the relevant time, he received inflated electricity bills issued by the respondents, without taking into consideration the actual consumption. Hence it is prayed to waive the said bills.

11. On the other hand, the respondents have supported their claim and prayed to reject the appeal.

POINTS

12. The points that arise for consideration are:-
- i) Whether the appellant is entitled for revision of excess bills as claimed by him?
 - ii) Whether the Award passed by the learned Forum is liable to be set aside? and
 - iii) To what relief.

POINTS (i) and (ii)

ADMITTED FACTS

13. It is an admitted fact that the appellant is having (3) Service Connections at his complex. There is also no dispute that two Service Connections were healthy.

SETTLEMENT BY MUTUAL AGREEMENT

14. 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

15. Since I took charge as Vidyut Ombudsman on 01.07.2022 and since there was no regular Vidyut Ombudsman earlier, the appeal was not disposed of within the prescribed period.

CRUX OF THE CASE

16. The material on record goes to show that the dispute in this matter is in respect of Service Connection No.BZ016401. Comparing the past (12) months periodical readings of the subject Service Connection S.C.No.BZ016401 with the month July 2021, the appellant received abnormal units of 435. Only at one instance i.e. during the month of June 2020, 408 units was billed. The appellant contended that from July 2020 the complex was closed and the energy was not much in use. From March 2021, onwards the energy meters BZ016401 and BZ016400 started giving wrong display resulting in higher billing. When there is doubt in the energy bills issued, there may be two possibilities of irregularity. Meter malfunctioning due to defect or the capturing of the meter reading is wrong.

17. Based on the complaint registered by the appellant, the respondents resorted to testing of the meter in the Meter Relay Testing (in short 'MRT') lab. The results found after testing, that error was within limits i.e. meter functioning was O.K. but the meter was not showing the display of the readings. When the old meter was tested in the MRT lab and found O.K, there remains no reason to deny that meter is not showing exact consumption. The other possibility of abnormal reading may be due to taking wrong readings. But this issue is also not applicable, since the meter reading was through IR port without any manual readings. Thus taking wrong meter reading by the meter reader does not arise.

18. The appellant argued that he was assured by the AE/Gymphana that the inflated bills will be settled/refunded. The respondents have adjusted Rs.571.41 by apportioning the 435 units with last 3 months which was billed under 'Nil Consumption' status '09' since April 2021. The appellant was not satisfied even after replacement of new meter which recorded consumption of 232 units in December 2021 and also average units adopted is 223 units during the period when the meter was changed. It is very rare that two meters old and newly replaced record high consumption. In view of the circumstances stated above, I hold that the appellant is not entitled for revision of excess bills and the Award passed by the learned Forum is not liable to be set aside. These points are accordingly decided against the appellant and in favour of the respondents.

Point No. (iii)

19. In view of the findings on point Nos. (i) and (ii), the appeal is liable to be rejected.

RESULT

20. In the result, the appeal is rejected, without costs, confirming the Award passed by the Forum.

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 28th day of September 2022.

Sd/-

Vidyut Ombudsman

1. Sri Krishna Kumar Gupta, s/o. Late Sri. Harbanslal Gupta, Flat No.406, Sri Srinivasa Homes, Shiva Enclave, Dubai Gate, Old Bowenpally, Secunderabad - 500 011. Cell No. 9246891115.
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Copy to

7. The Chairperson, Consumer Grievances Redressal Forum - GHA, Erragadda, Hyderabad.

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