



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

:: Present:: Smt. UDAYA GOURI

Monday the Fourth Day of November 2019

Appeal No. 23 of 2019-20

Preferred against Order dt:22.07.2019 of CGRF in
CG No.323/2019-20 of Banjara Hills Circle

Between

Sri. P. Srinivas Rao, Flat No. 208, Rukmini Towers, Yousufguda Check post,
Hyderabad - 500 045. Cell:- 9848467881.

... Appellant

AND

1. The AE/OP/S.K.Nagar/TSSPDCL/Hyderabad.
2. The ADE/OP/Ameerpet/TSSPDCL/Hyderabad.
3. The AAO/ERO/Banjara Hills/TSSPDCL/Hyderabad.
4. The DE/OP/Banjara Hills/TSSPDCL/Hyderabad.
5. The SE/OP/Banjara Hills/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 20.09.2019, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 23.10.2019 at Hyderabad in the presence of Sri. P. Srinivas Rao - Appellant and Sri. I . Praveen - ADE/OP/Ameerpet for the Respondents and having considered the record and submissions of both parties, the Vidyut Ombudsman passed the following;

AWARD

This is an Appeal against the orders of the CGRF, Banjara Hills Circle in CG No. 323/2019-20 dt. 22.07.2019.

2. The Appellant contended that he filed a complaint before the CGRF alleging that he received abnormal bills on his service connection No. S2002889 under Category No.I standing in the name of One N. Raj Kiran, who is the owner of his flat and the learned CGRF having gone through his grievance and the representation of the

Respondents directed the Respondent Nos. 1&2 to set revision bill proposals with Respondent No.3 and the Respondent No.3 was directed to revise the bill of the Appellant and withdraw the excess bill amount for the month of June'2019 and adjust the same to the Appellant's service connection account and that the Respondent No.3 revised the bills of the Appellant and withdrew Rs 2526/- out of the bill amount of Rs 6160/-(for the month of June'2019) and directed the Appellant to pay the balance amount of Rs 3634/- but the Appellant aggrieved by the said directions of the CGRF and the response of the Respondent No.3 filed the present Appeal.

3. The contention of the Appellant in the Appeal is that he was hardly getting a bill for Rs 100/- to Rs 150/- per month till the month of June'2019 which was for an amount of Rs 6160/-. He claimed that hardly consumes any units as he only has a single fan and two lights in his premises. He claimed that he does not use any electrical gadgets such as A.C, Fridge, Geyser, Cooler, Mixer grinder etc. and as such he got a bill for an amount of Rs 48/- for the month of May'2019 for 36 units, Rs 87/- for the month of April'2019 for the 41 units, Rs 121/- for the month of Jan'2019 for 56 units, September'2019 Rs 103/- for 45 units and so on. As such he was shocked when he got the bill for Rs 6160/- for the month of June'2019 showing the consumption as 792 units and when he approached the CGRF the relief given to him was not to his satisfaction as they reduced an amount of Rs 2526/- out of the Rs 6160/- that was billed and that the same was also exorbitant and as such he filed the present Appeal seeking for the withdrawal of the said excess amount for the month of June'2019.

4. The Respondents on the other hand filed their written submissions through AAO/ERO/Banjara Hills/TSSPDCL/Hyderabad stating that the applicant Sri.Pendayala Srinivas has approached Honourable CGRF stating that in the month of June'2019 he has received a bill for Rs.6,160/- for the month of June'2019 for 792 units and requested to revise the bill.

That the consumer has filed a complaint in the Honourable CGRF dt:19/06/2019. As per the instruction of Honourable CGRF a letter was addressed to AE/OP/S.K Nagar for want of physical verification report.

In reply the AE/OP/S.K Nagar and ADE/OP/Ameerpet has reported to revise the bill of June'2019 issued for 792 units by dividing the total units in to equally for 6 months.

Based on the strength of field report the bill of service No S2002889 has been revised from January'2019 to June'2019 adopting an average of 170 units per month.

On revision of bills an amount of Rs.2,526/- has been withdrawn vide JE No. 3005 of 08/2019. After withdrawal the consumer has to pay an amount of Rs.3634/- up to August'2019.

5. Written Submission of PENDYALA SRINIVAS RAO:

The basis followed by the respondents, for revising the abnormal bill amount of Rs 6,160/- for the consumption of 792 units in the month of June'19 by adopting an average assumption of 170 units per month and require to pay Rs 3,634/- considering from January'19 to June'19 is totally not acceptable and not justifiable in any manner. Also, it is against to the principles of natural justice "Right payment to Right cause".

As I had already submitted to your kindness, The actual bills raised by the Department prior to the Discrepancy month of June'19 and subsequent months are agreeing with one another and all the bills are below the level of Rs 100-150/- per month.

Further it is a admitted fact that the abnormal bill amount was raised by the department, due to total neutral wire was burnt and department officials has also visited my house and observed that I had only one fan and two lights and no other electrical gadgets I had.

I once again sworn that I have not consumption that much units, and unable to pay even revised bill amount of Rs 3,634/- due to my financial earnings.

Hence, may I request the great Honorable Vidyut ombudsman, to direct the respondents, duly revising the bill in accordance with the actual average consumption of units as per actual bills raised prior to and subsequently months of Discrepancy month of June'2019.

Heard both sides.

6. On the basis of the averments of both sides, the following issues are framed:-

1. Whether the Appellant is entitled for revision of the bills to be adjusted in the future consumption as prayed for?
2. To what relief?

Issue No. 1

7. A perusal of the averments of both sides show that admittedly the Appellant Mr.Srinivas Rao is residing in the Flat bearing No.208, Sri Rukmini Towers, Yousufguda Checkpost, Hyderabad and is utilizing the service connection No. S2002889 under Category No. I being sanctioned in the name of the owner of the Flat Sri. N. Raj Kiran. And the evidence on record shows clearly that the Appellant is using a single Fan and two lights in his flat. The said fact is also admitted by the Respondents. The contention of the Appellant that his monthly consumption of units was around 100 to 150 prior to the bill in question i.e. for the month of June'2019 and the same is again admitted by the Respondents.

8. Hence in view of the obvious discrepancy in the consumption of units in comparison to the units consumed in the month of June'2019 and on the basis of the directions of the CGRF, vide CG No.323/2019-20 dt.22.07.2019, the Respondent No.3 vide his Lr.No.940 dt.30.09.2019 divided the consumption of units from the month of Jan'2019 till the questioned month of June'2019 into 6 equal parts on the basis of the proposal of the AE/OP/S.K.Nagar, revised the bill for the month of June'2019 on the above average basis which has come to 170 units per month and consequently an amount of Rs 2526/- has been withdrawn vide JE No. 3005 of 8/2019 and asked the Appellant to pay the balance amount of Rs 3634/- as the consumption bill for the month of June'2019.

9. But the Appellant having not agreed to the above given revision of bills, held that it is against the principles of natural justice "Right payment to Right cause". It was held that it is an admitted fact that the abnormal bill amount was raised by the Respondents due to total neutral wire was burnt and the department officials also verified that there is only one fan and two lights and no other electrical gadgets in his house. Hence pleaded to revise the bill of revised amount of Rs 3634/-

which is not under his capacity to pay due to his financial earnings and requested to revise the bill for the month of June'2019 based on the previous consumption.

10. As per the records, the report of ADE/SPM/LTM, Banjara Hills, vide Lr.No.546 dt.13.06.2019, goes to show that the meter was tested in the MRT lab with ERS kit and observed that meter error was 0.28% which is within the permissible limit. The test was conducted in the presence of the Appellant Sri. P. Srinivas Rao on 13.06.2019. The above results omit any irregularity in the meter and also in the meter readings. The Respondent No.1 & 2 vide their reports dt.06.08.2019 and 09.07.2019, stated that the outgoing side neutral (which means outgoing after the meter) and phase wires were short circuited in the existing panel board, the existing wiring was 25 years old and most of the insulation is burnt out, this might be the reason for recording so much of consumption in a month abnormally. The Appellant though admitted the fact that a neutral wire was burnt out, but held that the consumption was not utilised by him since he is using one fan and two lights only.

11. Admittedly, the said investigation on the part of the Respondents clearly show that the meter attached to the service connection No. S2002889 was tested in the MRT lab with ERS kit and was found to be having meter error to an extent of 0.28% which is within the permissible limit, as such the same goes to show that the meter readings of the Appellant was not showing any faulty readings, but as per the admission of the Respondents the Appellant who is having a single Fan and two Lights could not be consuming units to an extent of 792 and as such found that there was some error somewhere and their investigation further showed that the existing electrical wiring in the Flat of the Appellant was 25 years old and most of the insulations were burnt and as such concluded that the excess consumption of units of the Appellant could be due to the neutral wire that was burnt and that the phase wires was short circuited.

12. The said investigation of the Respondents which was done in the presence of the Appellant shows that the excess consumption as shown in the service connection of the Appellant was due to short circuit and burning of the neutral wire insulation etc. due to the passage of time of 25 years from the time of the wiring of the said premises. Admittedly the Respondents are responsible if the meter was faulty and the Appellant is responsible for his faulty wiring or burning of his neutral wire insulation and the evidence on record clearly shows that the excess bill is due to

the Appellant not taking the required steps with regarding to his wiring system in his premises and as such cannot lay the responsibility of his faulty maintenance of his wiring system on the Respondents. Yet the evidence on record clearly shows that the Respondents in spite of the Appellant being at fault have been considerate enough to adopt the bill on the average basis from January to June fixing the bill amount for the month of June'2019 (which is questioned by the Appellant) as Rs 3634/- . Hence in the said circumstances, I do not find any reason to revise the bill further for the month of June'2019 of the Appellant. Hence decides this issue against the Appellant.

Issue No.2

13. In the result the Appeal is dismissed, but the Appellant is permitted to pay the revised bill for the month of June'2019 i.e. Rs 3634/- within 4 instalments.

TYPED BY Office Executive cum Computer Operator, Corrected, Signed and Pronounced by me on this the 04th day of November, 2019.

Sd/-
Vidyut Ombudsman

1. Sri. P. Srinivas Rao, Flat No. 208, Rukmini Towers, Yousufguda Check post, Hyderabad - 500 045. Cell:- 9848467881.
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6. The SE/OP/Banjara Hills/TSSPDCL/Hyderabad.

Copy to :

7. The Chairperson, CGRF-GHA, TSSPDCL, GTS Colony, Vengal Rao Nagar, Hyderabad.
8. The Secretary, TSERC, 5th Floor Singareni Bhavan, Red Hills, Lakdikapul, Hyd.