



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 Third Day of February 2020

Appeal No. 33 of 2019-20

Preferred against Order dt.21.11.2019 of CGRF
in CG No.471/2019-20 of Rajendra Nagar Circle

Between

Sri.C. Shivalingam, #14-183/1, Sai Nagar Colony, Balapur X Road, Saroor Nagar,
R.R. Dist - 500 053. Cell: 9970095984, 9493016367.

... Appellant

AND

1. The AE/OP/Pahadshariff/TSSPDCL/RR Dist.
2. The ADE/OP/Mamidipally/TSSPDCL/RR Dist.
3. The AAO/ERO/Kandukur/TSSPDCL/RR Dist.
4. The DE/OP/Kandukur/TSSPDCL/RR Dist.
5. The SE/OP/Rajendra Nagar/TSSPDCL/RR Dist.

... Respondents

The above appeal filed on 21.12.2019, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 22.01.2020 at Hyderabad in the presence of Sri. C. Shivalingam - Appellant and Sri. P. Srinivas - AAO/ERO/Kandukur, Sri. Venkatesh - ADE/OP/Mamidipally 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, Rajendra Nagar Circle in CG No. 471/2019-20 dt. 21.11.2019.

2. The averments of the Appellant is that he has filed a complaint before the CGRF for rectification of excess bills issued in the month of Oct'2019 for an amount of Rs 31,763/- pertaining to his service connection No. 272703277 situated in the

premises bearing No. 14-183/1, Sainagar Colony, Balapur, Hyderabad and that the learned CGRF accepted the contentions of the Respondents that in view of the excess bills wrongly issued to the Appellant, they have revised the bills from Sep'2016 to Oct'2019 and have withdrawn Rs 15,557/-, in view of the report filed by the Respondents and closed the matter. They contended that the said rectification and withdrawal of bills by the Respondents has still not completely answered his grievances. Hence he has filed the present Appeal seeking withdrawal of the entire excess amount of Rs 31,763/- as their average consumption is below 100 units per month as can be seen from the earlier consumption reports.

3. The Appellant contended in the Appeal that he is a Resident of H.No.14-183/1, Sainagar Colony, Balapur, Hyderabad and that he was provided with the Service Connection bearing No.272703277 and has been paying Rs 450/- per month from the month of May'2015 i.e. from the date of the purchase of his house. As such he has been paying the consumption charges regularly but still he got a bill of Rs 31,763/- for the month of Oct'2019. He further stated that if one checks the bills for the last four months pertaining to his service connection the same shows Rs 200/- per month, but still he has been paying Rs 450/- per month and hence the question of he being liable to pay Rs 31,763/- in the month of Oct'2019 is beyond any scale of calculation and hence contended the contention of the Respondents that they revised the bills and have withdrawn Rs 15,557/- and as such he is liable to pay Rs 17,157/- is beyond his acceptance. Hence prayed that in view of his regular payments of the bills issued by the Respondents, the Respondents be directed to rectify the bills and withdraw the entire excess billed amount of Rs 31,763/- and not just Rs 15,557/- as done by the Respondents.

4. The Respondents on the other hand contended that with reference to the appeal on above CG.No 471/2019-20 it is to submit that the meter was already tested as MRT lab dated 27.07.2019 in presence of consumer and found the meter is working normal as per load.

However due to wrong bills issued to the period the bills were revised and Rs.15.55/- was credited to the consumer and balance Rs 17,157/- has to be paid by the consumer. In this regard it is to submit that if a consumer requires instalments for the balance amount of Rs 17,157/- we will permit him to pay in instalments also.

As per CGRF instruction old meter was replaced on 07.11.2019. Submitted for taking further necessary orders please.

5. In reply to the written submissions of the Respondents, the Appellant filed the rejoinder stating that he and his tenants has not consumed these extra readings(3476 units). I purchased this house in May'2015. When I purchased the home I verified on the electricity bill it is clear no pendings bill. It is clearly a meter issue and bill collector issue.

Please check consumption history from May'2015 all the readings are 100 or 200 which are excess of readings. We consumed actually those are round figure readings. Due to this I have been paying an extra amount for 4.5 years.

For 5 months (July-2015, Nov-2015, Dec-2015, Oct 2016 and Nov 2016) our house empty tenants vacated so we have not consumed any electricity during these periods.

If you check the last 3 months of consumption the readings are below 100(80,65,72) which are actual readings after they changed the meter. For the last 4.5 years.I have been paying 200 units or 100 units per month which are more than actual. Please consider all these things and get my extra money back.

I did not make any mistakes and paid the monthly bills regularly and visited each and every office by taking half day leave which is paid leave and waiting for my time without my mistake. If this happens from May' 2015 why AE did not ask bill collector or why the bill collector did not inform AE or his superiors.

6. The Respondent No.3 also filed written arguments stating that The AE/OP/Pahadi Shareef inspected the service for load particulars in the presence of his wife and signed in the inspector reports and the load particulars has given below:-

1. Tube lights 6 No X 40W =240 W
2. Fridge 1 No X 180 W=180 W
3. A.C 1 No X 1000W=1000W
4. Fans 2 No X 60 W=120 W
5. Mixture 1 No X500W=500W
6. Bore water 1 No X 760=760W
7. Sump motor 1 No X200w=200W

Total=3000 Watts.

The consumer and his tenants were using above loads from the release of supply i.e 10.10.2009 but consumer having only 1KW only but consumer using excess load without paying development charges and security deposit also and the consumer load was not yet regularised.

The consumer representation submitted to the Honorable Vidyut Ombudsman for replying to the ADE/OP/mamidipally for stating that he and his tenants did not use that much of units consumption and he paid regular bills and request for the refund the amount.

The consumer gave a sale agreement for this house from 06.042015 and the tenants used from release of supply and owner as changed from the M.Madhu kumar S/o late M.Seshanna. But not changes the tenant.

It is request to Honorable Vidyut Ombudsman, it is request that the consumer already using the consumption units and he got suppressed reading and the bills revision was given for Rs15,557/- instead of Rs 31249.00/- and the consumer has to pay Rs 17,157/- for using consumption units and if consumer unable to pay at a time , we will allow the installment and please issue the favourable order for us.

Heard both sides.

Issues

7. In the face of the contentions by both sides the following issues are framed:-

1. Whether the bill received by the Appellant for the month of Oct'2019 for an amount of Rs 31,763/- is in excess and hence the same is liable to be withdrawn in toto and not only Rs 15,557/-, after rectification of the bills? and
2. To what relief?

Issue No.1

8. The evidence on record shows that the Appellant Sri.C. Shivalingam, R/o. Sai Nagar Colony, Balapur, Hyderabad has an electricity service connection bearing SC no 272703277, he has filed an appeal for rectification of alleged wrong bill issued for the month of October 2019 for an amount of Rs 31,763/- with 3476

units. The Appellant claimed that on an average he is paying bills regularly at Rs 450/- for each month, since he purchased the house in may 2015. That on complaint of abnormal bill the AE has proposed for testing towards accuracy of the meter, later found that the meter is working normally. That he is not satisfied with the test results of the meter and questioned how in a month 3476 units can be consumed, whereas his last four months bill was around Rs 200/- for each month. That he is not satisfied even with the revision of bill from Rs 31763/- to Rs 17157/- since he is paying the bills regularly, he is not a defaulter.

9. On the other hand the Respondent no 2, ADE/OP/Mamidipally, held that the meter was already tested in the MRT lab on Dt 27-7-2019, in the presence of the appellant and the testing results show that the meter is working normally as per the load. He has also admitted that the October month bill issued is abnormal and thereby revised the bill to an amount of Rs 17,157/- duly withdrawing Rs 15557/-. Further submitted that as per CGRF instruction the old meter was replaced on 7-11-2019.

10. Through rejoinder the appellant claimed that, when he had purchased the house there were no dues pending and no dispute, that the house was vacant for 5 months from july 2015 to nov 2016, in view of vacated house by the tenants. And also the last 3 months consumption are below 100 units i.e 80,65 and 72 units. That there is no mistake from his side, he is paying the bills regularly and that visited each and every office but could not get justice.

11. The Respondents through their written arguments through the Respondent No.3, i.e. AAO/ERO/Kandukur stated that as per the report of the AE/OP/Pahadi Sharif the load particulars of the Appellant are as follows:-

Tube lights	6 No X 40W =240 W
Fridge	1 No X 180 W=180 W
A.C	1 No X 1000W=1000W
Fans	2 No X 60 W=120 W
Mixture	1 No X500W=500W
Bore water	1 No X 760=760W
Sump motor	1 No X200w=200W
Total=3000 Watts.	

and alleged that the contracted load of the Appellant is 1 KW, but the Appellant is using the excess load without paying any Development Charges or Security Charges and also not regularising the load. The consumption on the Appellant's service connection shows that there is no change in the consumption of the power supply before and after the purchase of his premises from Sri. M. Madhu Kumar in the year 2015 as the same tenants continued in the premises even after the purchase of the premises by the Appellant.

12. A perusal of the submissions of the Respondents go to show that in spite of their contentions, they have admitted that the Appellant abnormally received huge bills for an amount of Rs 31,763/- showing the consumption as 3476 units in the month of Oct'2019 and that the same can only be termed as abnormal bills, but they have also contended that the accuracy of the meter of the Appellant was addressed as the same was tested in the MRT lab on 27.07.2019 and the result showed that the meter was normal. Hence attributed the abnormalcy in the bills to the admitted fact by the Appellant that the meter was situated inside their premises and the door was locked most of the time, as such claimed that the actual readings could not have been taken by the meter reader and the Respondents have not taken the necessary action as required under Clause 7.1.4 and Clause 7.4 of GTCS for taking actual readings in view of the non accessibility of the meter and if the same was taken the present situation would not have arisen. They contended that the meter reader has issued fictitious readings and as such the service was billed accordingly, resulting in accumulation of all the consumption in one month. Hence the same was revised from Sep'2016 to Oct'2019 and an amount of Rs 15,557/- has been withdrawn and as such the Appellant was asked to pay the balance amount of Rs 17,157/- (i.e. Rs 31,763/- less Rs 15,557/-) but still the Appellant is not satisfied and is demanding for withdrawal of the entire amount.

13. The entire averments of both sides clearly shows that the service connection provided to the Appellant was functioning normally as per the report of the MRT lab but yet the Appellant has been issued a bill for abnormal consumption. The evidence on record shows that the bills for abnormal consumption was issued because of the fact that the meter of the Appellant was situated inside the Appellant's premises and the meter reader was issuing fictitious readings and thus when the actual reading was taken the same resulted

in huge amount. The said fact goes to show that there was a lapse on the part of the Appellant when the meter is inside his premises making it not accessible to the meter reader and there was also a lapse on the Respondents for not issuing notice to the Appellant under Clause 7.4 of the GTCS asking him to make the meter accessible to them. However the Respondents have rectified the said abnormal bills by taking into actual consumption during the period from Sep'2016 to Oct'2019 and found that an amount of Rs 15,557/- has been excessively billed. Hence in the said circumstances the Appellant is bound to pay the charges for the actual consumption on his meter and hence he is liable to pay Rs 17,157/- as claimed by the Respondents. The Respondents clearly explained that they have duly apportioned the total recorded consumption from Sep'2016 to Oct'2019 which works out to 7469 units for 38 months resulting in an average of 196.55 units consumption per month. Hence the contentions of the Appellant that since they have consumed below 100 units per month and as such the same shall be taken as reference for revision of past three years bills keeping aside the recorded consumption in the meter does not hold good. As admittedly the units recorded in the meter cannot be questioned when the meter is found to be normal after the test in the MRT lab. And as such the contentions of the Appellant to withdraw even the balance amount of Rs 17,157/- in spite of withdrawing Rs 15,557/- , cannot be accepted. Hence decides this issue against the Appellant.

Issue No.2

14. In the result the Appeal is dismissed, but keeping in view the hardship expressed by the Appellant, the balance amount of Rs 17,157/- is directed to be paid by the Appellant in 3 equal installments starting from the month of February'2020.

TYPED BY Office Executive cum Computer Operator, Corrected, Signed and Pronounced by me on this, the 3rd day of February'2020.

Sd/-

Vidyut Ombudsman

1. Sri. C. Shivalingam, #14-183/1, Sai Nagar Colony, Balapur X Road, Saroor Nagar, R.R. Dist - 500 053. Cell: 9970095984, 9493016367
2. The AE/OP/Pahadshariff/TSSPDCL/RR Dist.
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6. The SE/OP/Rajendra Nagar/TSSPDCL/RR Dist.

Copy to :

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