

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED
TIRUPATI

On this the 17th day of May 2013

In C.G.No:11/ 2013-14/ Guntur Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Sateesh Kumar

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri. K.Prakasa Rao
Adusumallivari Veedi
Gandhinagar- Post
Tenali
Guntur-Dist.

Complainant

And

1. Assistant Accounts Officer/ERO/Tenali
2. Assistant Engineer/Operation/D3/Tenali
3. Assistant Divisional Engineer/Operation/Town/Tenali
4. Assistant Divisional Engineer/LT-Meters/Guntur

Respondents

Sri. K.Prakasa Rao resident of Adusumallivari Veedi, Gandhinagar- Post, Tenali, Guntur-Dist. herein called the complainant, in his complaint dt:20-04-2013 filed in the Forum on dt:20-04-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He is a consumer with SCNo:1211303036323 at Adusumallivari veedhi, Gandhinagar, Tenali of Guntur-Dist.
2. He received bill on high side for the above service for the month of December 2012 to March 2013.
3. He approached the office on 14-03-2013 to examine the bill for the amount of Rs. 2670/- and the officers observed the meter for its

correctness for 5 days from 14-03-2013 to 19-03-2013 and the consumption for the first 4 days was of the order of 4 to 7 units per day where as for the 5th day it was 53 units which is very much on high side.

4. He again approached the office pursuant which the officers asked him to pay challan and accordingly he paid the amount on 19th March.
5. The existing meter was replaced on 25-03-2013 evening and a new meter was installed in its place and the reading in the removed meter was 7990.
6. The new meter recorded 126 units for 26 days from 20-03-2013 to 15-04-2013.

Month and Year	Reading		Units	Amount to be paid in Rupees
	Opening	Closing		
Dec 2012	6972	7098	126	627
Jan 2013	7098	7239	141	718
Feb 2013	7239	7397	158	536
March 2013	7397	7903	506	2685

7. He paid only Rs.1000/- towards March bill.
8. Again for the month of April, he received bill for Rs.2586/-
9. He was allowed to pay the bill amounts in total after testing of the meter on 16-04-2013.
10. Requested to render justice duly going through the old and new bills.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-3 Assistant Divisional Engineer/Operation/Town/Tenali in his written submission dt:30-04-2013, received in this office on 01-05-2013 stated that:

1. The consumer of SCNo:36323, category-1, X-Zone, D3 section, Tenali Sri K.Prakasa Rao Challenged the function of his meter and complaint to the AE/Opn/D-3 section, Tenali.
2. On consumer representation the AE/Opn/D-3 section, Tenali referred the meter for testing at MRT lab Tenali duly replacing the suspected meter with new meter. The suspected meter was tested by ADE/LT-Meters/Guntur and ADE/DPE/Guntur in the presence of the consumer at MRT lab Tenali on 16-04-2013 and found that the meter was not defective.
3. After receiving the meter test report from ADE/LT meters/Guntur the AE/D3 section, Tenali sent letter to ERO, Tenali for revision of CC.bill duly proposing average consumption of 201 units per month from 09/2012 to 04/2013.

The respondent-1 Assistant Accounts Officer/ERO/Tenali in his written submission dt:01-05-2013, received in this office on 03-05-2013 stated that:

1. Sri K.Sankara Babu, Tenali, consumer pertaining to LT SCNo:36323 X-zone, D3 section, Tenali, tenali Division has preferred a complaint before the Chairperson, CGRF, Tirupati that to do justice on verification of the data of his service with the consumption of his new meter was replaced on the plea of challenge test.
2. The LT SCNo:36323 X-Zone/ D3 section/Tenali is stand on the name of Sri K.Prakasa Rao is a slab billing service.
3. The consumption of old meter was challenged by the consumer on receipt of bill for 506 units Rs.2685. An amount of Rs.1000 was paid being the part payments vide PRNo:601331 dt:22-03-2013.

4. On payment of prescribed fee for challenging test, the meter was replaced with the new one on 20-03-2013 with final reading 7990 and initial reading of new meter is 1. A copy of test report bearing No:31223. The meter was sent for MRT for detailed examination
5. On Examination, the ADE/LT-Meters/Guntur has declared that the meter results are within permissible limits, so the meter is NORMAL vide Endt. No:ADE/LTM/GNT/F.No. /DNo:928/13, dt:27-04-2013.
6. Later, the AE/O/D-3 section/Tenali has recommended for revision of CC.bills from 09/2012 to 04/2013 (8 months) @ 201 units per month up to the final reading of 7990 even though the MRT test results are NORMAL.
7. The recommendation of the Assistant Engineer was not accepted and the CC.bills for the requisite period were not revised as the MRT test results are normal.
8. Now the consumer is requesting for justice to review the consumption of the old meter with that of consumption of new meter.

The respondent-2 Assistant Engineer/Operation/D-3/Tenali in his written submission dt:30-04-2013, received in this office on 03-05-2013 stated that:

1. Previously based on the consumer's (USC. No:1211303036323) request the meter testing charges of Rs.150/- have been collected from the consumer vide ERO, Tenali PR.No:0313-1151938, dt:19-03-2013 and the suspected meter was also replaced with new one on 20-03-2013 vide meter change Slip No.31223. The replaced & new meter particulars are as follows:

Removed Meter particulars

Meter No:305871, Make:NPL, Capacity:5-20A, Final reading:07990

New Meter particulars

Meter No:972750, Make: Visiontek, Capacity:5-30A, Initial reading:1

2. Later the replaced meter was sent for testing at MRT lab, tenali on 16-04-2013 vide T.Note No:17417/ dt:16-04-2013 alongwith the consumer. There the suspected meter was tested in the presence of ADE/LT-Meters/ Guntur, ADE/DPE/Guntur & the consumer and found that the meter results are with in the permissible limits. The same was reported to this office as the tested meter condition is “NORMAL” (i.e. meter is not defective).
3. After receiving the meter test report from the ADE/LT Meters/Guntur, he has once again seen & observed the consumer history from the present to the past and proposal for revision of CC.bill for the period from 09/2012 to 04/2013 (i.e. for 8 months) have also sent to the ERO, Tenali, vide letter dt:27-04-2013, thinking that if slab rate decreases it will somewhat relief to the consumer to pay the total arrear amount without any delay.

Findings of the Forum:

1. The grievance of the complainant is that he received bill for his domestic service on high side for the month of March 2013 when compared to his previous months consumption.
2. He approached the local officers who advised him to pay the fees and get the meter tested under the provisions of challenge test.
3. Accordingly he paid the amounts and the meter was replaced on 25-03-2013 with a new meter which recorded 126 units for 26 days.
4. The meter was tested for its accuracy at the MRT lab on 16-04-2013 in the presence of the consumer as could be seen from the MRT report and it was declared that the test results are normal and within permissible limits and as such there is no fault with the meter and hence the billing is to be done according to the readings.

5. The other point of consideration is that the meter was not read properly every month and hence the consumption appeared in the month of March 2013 shall be on account of accumulation of consumption over a period. The contracted load of the service is 1KW and the monthly consumption was ranging from 120 to 186 units till February 2013.
6. The Assistant Engineer/Operation/D3/Tenali recommended for revision of bill based on the consumption recorded after replacement of the meter and with old meter also @ 201 units per month for a period of 8 months unscientifically and is violation of GTCS clauses 7.5.1.4.
7. The Assistant Accounts Officer/ERO/Tenali stated that he did not accept the recommendations above of the Assistant Engineer as MRT test results are normal.
8. The contention above of the Assistant Accounts Officer is not appropriate since the billing is to be done upto the final reading when there is no defect in the meter, but because of the abnormal variation in the consumption, it shall be construed that, the readings are not taken properly and hence it needs revision of bill by apportioning the consumption over the period.
9. The consumer shall accept to the final reading and pay the bills after the said revision since the meter was tested in his presence at the lab and he had attested the test results

In view of the above, the Forum passed the following order.

ORDER

The respondent-1 i.e. the AAO/ERO/Tenali shall

1. revise the bill duly apportioning the consumption for a period of one year and communicate to the complainant within 15 days from the date of this order.
2. Report compliance on the item-1 above of the order within 21 days from the date of this order

The complainant is advised that he shall pay the bill amounts after the revision with in further 15 days from the date of receipt of the revised bills.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on the 17th day of May 2013.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.