

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

**On this the 28<sup>th</sup> day of October 2013**

**In C.G.No:124/ 2013-14/ Nellore Circle**

*Present*

*Sri. K. Paul*  
*Sri. A. Venugopal*  
*Sri. T. Rajeswara Rao*  
*Sri. A. Satish Kumar*

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

**Between**

Sri. G.Hanumatha Rao  
C/o Sri Venkateswara Maruthi Rice and Decordicator  
Venkatagiri Town, Post and Mandal  
Nellore-Dist

Complainant

*And*

1. Assistant Accounts Officer/ERO/Venkatagiri
2. Assistant Engineer/Operation/Town/Venkatagiri
3. Assistant Divisional Engineer/Operation/Venkatagiri
4. Senior Accounts Officer/Operation/ Nellore

Respondents

\* \* \*

Sri. G. Hanumatha Rao, C/o Sri Venkateswara Maruthi Rice and Decordicator, Venkatagiri Town, Post and Mandal, Nellore-Dist herein called the complainant, in his complaint dt:27-08-2013 filed in the Forum on dt:27-08-2013 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 owning an industry with SCNo:558 for his rice mill at Chevireddypalli, Venkatagiri town of Nellore-dist.
2. They were issued bill on 15-08-2011 for an amount of Rs.72,908/- and the MD was shown as 148. There are motors totaling to a capacity of 54HP for their rice mill and the MD so far reached was in between 34 and 48 only.

3. The service was kept under examination from the next day of reading onwards and the MD was 48 only.
4. The CC.bills were not collected from them upto July 2012.
5. He paid CC.bills on 01-08-2012 for all the months excepting the month during which the MD was high and obtained receipts to that effect.
6. He had continued paying the CC.Charges every month without fail excepting the bill dt:15-08-2011.
7. Requested to examine the case and render justice by revising the bill.

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

**The respondent-1 i.e. the Assistant Accounts Officer/ERO/Venkatagiri in his written submission dt:27-09-2013, received in this office on 30-09-2013 stated that:**

1. On 31-08-2013 the Assistant Divisional Engineer / Operation / Venkatagiri has furnished his report stating that there is no possibility to reach 148 KVA MD with the load existing in the plant and also said that there is no load fault and no abnormality in the monthly consumption and MD in the previous month and the following month of 08/2011. A copy of the Assistant Divisional Engineer's report is also herewith humbly submitted.
2. The Assistant Engineer / LT Meters /Nellore. inspected and tested the meter reading on 26.08.2011, but there was no abnormal reading found. The meter was checked and found no irregularities in its functioning. The class 1.0 CT Meter was replaced with 0.5 class CT Meter and tested the Meter on 26.12.2011.and the Meter performance was also found satisfactory. The test reports of CT Meters Wing / Nellore are herewith submitted. Prior to his appeal before the CGRF / Tirupati, we have not received any complaint from the consumer on the above subject.
3. A letter was addressed to the Assistant Divisional Engineer/ Operation /Venkatagiri by him requesting to clarify whether the bill is to be revised to the

consumer or not. But the reply was not yet received by his office with the recommendations of the Divisional Engineer/Operation/ Naidupet.

4. In view of the above, basing on the report of Assistant Divisional Engineer and report of Assistant Engineer / CT Meters / Nellore, the question of revision of bill for the month of 08/2011 does not arise and there is no prima facie evidence in favour of the Consumer. It is prayed that the objection of the consumer is not admissible.

**Findings of the Forum:**

1. The grievance of the complainant is that the CC.bill for their rice mill was issued on high side for an amount of Rs.72,908/- on 15-08-2011 and the MD was shown as 148 while their total connected load was only 54HP. The normal MD recorded was in-between 34 and 48 for their service. Felt that the MD and the bill is much on high side due to some error. He paid the C.C.Charges for all the months as on the date of his complaint, ie 27-08-2013 excepting that for 08/2011. He requested to revise the bill and render justice as there is no scope for such a high MD.
2. The respondent-1 i.e. the Assistant Accounts Officer/ERO/Venkatagiri replied that the ADE/Operation/Venkatagiri in his report expressed that there is no possibility of reaching such a huge MD of 148KVA with the existing load of the plant.
3. Also the AE/LT.Meters/Nellore inspected and tested the meter on 26-08-2011 and he did not notice any abnormality and irregularities in functioning of the meters. However the then existing CT meter being 1.0 class of accuracy, was replaced with 0.5 class one on 26-12-2011 and the meter performance was also found satisfactory. There was no further complaint from the consumer.

4. As could be seen from the test report of the meter dt:26-08-2011 i.e. within 10 days of issuance of the bill, the testing officer i.e. the AE/CT.Meters/Nellore after testing the meter at full load declared that the performance of the meter was satisfactory.
5. While the respondent-3 ie the ADE/Operation/ Venkatagiri, the concerned field officer felt that there is no possibility of reaching such a huge MD of 148KVA with the existing load of the plant, the AE/LT.Meters/Nellore, who had tested the meter declared that the performance of the meter is satisfactory. It is not understood how such a huge MD was recorded by a healthy meter when the total load was about 1/3<sup>rd</sup> ( 54 HP ) of it.
6. The other possibility is that though the respondents mentioned that the total connected load of the consumer was only 54HP, the consumer might have connected additional load temporarily for the purpose of testing and have removed at a later date or otherwise there shall be some defect developed in a meter for a movement and was self rectified. But there is no evidence to that effect.
7. As an alternative, the past history of the service was gone through and no where, the MD has gone beyond 50.2 KVA. ( highest ) as could be seen from the reading extract of the service. The highest MD recorded for the service in past 2 ½ years was 50.2 KVA in the months of March and April 2012.
8. There is no single valid reason to affirm the CMD as 148 KVA for the service for the disputed month and as such, the benefit of doubt shall go to the consumer in accordance with law and hence the billing at 148 CMD is felt unjust.
9. Summing up all, the Forum finally had come to the conclusion that it is more appropriate to bill the service for the disputed month of July 2011at 50.2 KVA

as the RMD instead of 148 KVA at which it was already billed and the bill shall be revised accordingly.

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

**----ORDER----**

***The respondents are directed that***

- 1. They shall revise the bill of the said service no. 3621410000558 of Chevireddipalli, Venkatagiri town for the month of July 2011 taking 50.2 KVA as the RMD instead of 148 KVA at which it was already billed within seven days from the date of this order.***
- 2. They shall report compliance to the Forum on the item-1 above of the order within 15 days from the date of this order.***

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, 5<sup>th</sup> floor, Singarenibhavan, Redhills, Hyderabad-500004***, within 30 days from the date of receipt of this order.

Signed on this the 28<sup>th</sup> day of October 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 to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.