

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

**On this the 15<sup>th</sup> day of May 2018**

**In C.G.No:331/2016-17/ Ongole Circle**

Present

Sri. A. Jagadeesh Chandra Rao  
Sri. A. Sreenivasulu Reddy  
Sri. D. Subba Rao  
Sri. Dr. R. Surendra Kumar

Chairperson  
Member (Finance)  
Member (Technical)  
Independent Member

Between

Smt.V. Padmavathi,  
C/o. M/s. Sri Tirumala Sivasai Granites,  
Budhawada,  
Marrichetlapalem,  
Prakasham Dt.

Complainant

**AND**

1. Assistant Engineer/O/Marrichetlapalem
2. Assistant Divisional Engineer/O/Ongole Rural 1,
3. Assistant Accounts Officer/ERO/Ongole Rural
4. Divisional Engineer/O/Ongole

Respondents

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**ORDER**

1. Smt. V. Padmavathi, Proprietor M/s. Sri Tirumala Sivasai Granites having ISC No. 4344604000744 of Budavada, Marrichetlapalem (M) Prakasham Dt presented a complaint before this Forum and the same was registered as C.G.No.331/2016-17. The Complainant in her complaint has complained as follows :

She is running an industry in the name of M/s. Sri Tirumala Sivasai Granites, the electricity bill for the month of 08/2015 was issued on 10.08.2015 with KWH units of 12490 and KVAH units of 39515 and the ERO concerned has raised a bill for 39515 units for a demand of Rs.2,56,337/-. When she has approached the ADE/O and complained about the huge bill, responding to it the ADE has taken reading afresh on 31.08.2015 and arranged a revised bill for Rs.1,27,524/- for a consumption of 20200 units for 50 days from 11.07.2015 to 31.08.2015. Later the department officers have replaced the meter on 10.09.2015 on the plea that the meter is not working properly. A new meter was erected on the same day. A bill for Rs.34,951/- was issued for the month of 09/2015 for the consumption of 10 days only. A total bill for Rs.1,63,764/- was issued including the arrear bill of Rs.1,28,813/- for 50 days. But the ERO people presumed that 4829 units are the consumption for 30 days and hence levied a shortfall consumption taking into the average consumption recorded during the months of 05/2015 06/15 and 07/15. A shortfall amount of Rs.64,580/- was included as internal audit shortfall vide notice dated 22.12.2015. The fact of inclusion of shortfall demand was brought to the notice of ADE/O and the ADE intum has sent a letter to AAO/ERO i.e. Respondent No. 3 apprising that the short fall of 10028 units as raised by the internal audit was already

C. G. No. 331/16-17\_Ongole Circle

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included in the average units of 14863 for the month of 08/2015 and hence the shortfall units need not be added to the bill. But the AAO does not choose to revise the bill and threatening disconnection of the service. Finally the complainant has requested to withdraw the alleged shortfall amount together with the belated payment surcharge levied on it and do justice.

2. The Respondent No.3 in his detailed written submission has averred as follows:

- a) The Respondent No.2 has issued CC bill to the complainant for 39515 units for the month of 08/2015.
- b) The Respondent No. 2 has addressed a letter to him and requested to revise the bill issued above for 39515 units as he has read the meter by over sight and requested to revise the bill for 19320 units only. Accordingly the bill was revised and withdrawn an amount of Rs.1,27,524/- vide SAP Doc No. 6600001824.
- c) The Respondent No 2 had issued a bill for 4835 average units for the month of 09/2015 with the meter status as 'meter change'.
- d) During 11/2015 M/s. Madhuri & Co has conducted internal audit on the accounts of ERO and pointed out the meter of the said service connection was sluggish during 11/2015 and arrived short fall of Rs.64,580/- for 10028 units taking into average of consumption for the months from 05/15 to 07/15. The subject matter had been discussed with the Respondent No.1 and he had accepted the audit objection. Then the internal auditor has recommended to include the shortfall amount of Rs.64,580/- in the CC bill.
- e) In accordance with the internal audit report he has prepared a notice to the complainant about shortfall amount with a request to make a representation if he is having any objection through the Respondent. No.1 within 15 days, otherwise the above shortfall amount will be included in CC bill of 01/2016. Since the complainant had not preferred any objection within the stipulated period the shortfall amount was included in 01/2016.
- f) Finally the Respondent. No.3 has prayed to consider his submission and passed necessary orders. He has also enclosed a notice issued to the complainant, copy of the internal audit objections and copy of the RJ showing withdrawal of Rs.1,27,524/- .

3. The Respondent. No.4 in his written submission has explained as follows :

- a) The Respondent No.2 has issued CC bill to the complainant for 39515 units for the month of 08/2015.
- b) Respondent No. 2 has sent a letter stating that the reading furnished was wrong and requested to revise the said bill with closing reading of 876198 instead of 896198 for 19320 units and accordingly bill was revised.
- c) As the meter digits are not clear the meter was changed on 08.09.2015 and a new meter was fixed.
- d) The internal auditors have proposed shortfall units of 10028 for the month of 09/15 duly arriving the shortfall on the average of actual consumptions recorded during 05/15 to 07/15.
- e) The complainant was intimated through a letter to raise her objection if any for the shortfall amount communicated within 15 days. Since the consumer did not

raise any objection the shortfall amount was included in the bill. While making the payments the complainant has omitted to pay the shortfall amount and only paid the regular bills. The complainant has raised objection at the time of paying the regular bill and requested to withdraw the amount.

- f) The Respondent department had clarified the complainant on the spot about the withdrawal of Rs.1,27,524/- towards the excess demand and further reduction of bills is not possible. The complainant not satisfied with the explanation approached the Forum
- g) Finally the Respondent had elucidated that there is no fault on the part of the department at any point of time and hence prayed the Forum to consider the reply and pass orders.

4. On perusal of the averments of Respondent No. 3 and 4 together with the documentary evidences adduced before the Forum the following observations are noticed:

a) The complainant is having the industrial service connection bearing No.4344604000744 with a contracted load of 74 HP. The CC bills to the complainant are being issued for KVAH consumption every month and the complainant has cleared all the bills till 11/2015.

b) The consumption billed from Jan'2014 to Apr'2018 is noted below for better understanding of usage pattern.

2014		2015		2016		2017		2018	
Month	KVAH Consumption	Month	KVAH Consumption	Month	KVAH Consumption	Month	KVAH Consumption	Month	KVAH Consumption
Jan-14	7647	Jan-15	14410	Jan-16	8631	Jan-17	8902	Jan-18	19318
Feb-14	13955	Feb-15	16599	Feb-16	14352	Feb-17	11932	Feb-18	22473
Mar-14	12652	Mar-15	21093	Mar-16	13316	Mar-17	13909	Mar-18	22041
Apr-14	14052	Apr-15	13498	Apr-16	15158	Apr-17	13839	Apr-18	18507
May-14	12088	May-15	12162	May-16	16637	May-17	13811		
Jun-14	10656	Jun-15	16949	Jun-16	13880	Jun-17	13741		
Jul-14	8241	Jul-15	14065	Jul-16	12983	Jul-17	12128		
Aug-14	12318	Aug-15	13574	Aug-16	12577	Aug-17	12486		
Sep-14	10026	Sep-15	<b>39515</b>	Sep-16	13652	Sep-17	11508		
Oct-14	13959	Oct-15	<b>4835</b>	Oct-16	13829	Oct-17	13017		
Nov-14	15149	Nov-15	10968	Nov-16	13538	Nov-17	18940		
Dec-14	12936	Dec-15	13854	Dec-16	13104	Dec-17	16890		

As could be seen from the above it is crystal clear that the consumption recorded during 09/2015 is abnormally high and that of 10/2015 is abnormally low. The Respondents have rectified the abnormally recorded units during 09/2015 by 20000 units amounting to Rs.1,27,524/- and the net units billed during that month were only 19515. Owing to digits cut on the meter the bill issued for the month of 10/2015 is abnormally low i.e. 4835 units only.

5. The internal auditors during their inspection have observed the abnormally low consumption during 10/2015 and recommended to bill average consumption taking into account the actually recorded units during the months of 06/2015, 07/15 and 08/15. The average works out to 14863 units and hence shortfall consumption of 10028 units proposed for a shortfall of Rs. 64,580/-
6. The provisions contained in Clause No. 7.5.1.4.1 of the General Terms and Conditions of Supply as approved by the Hon'ble Commission is here with reproduced for better understanding:

**Clause 7.5.1.4.1 :**

“The number of units to be billed during that period in which the meter ceased to function or became defective, shall be determined by taking the average of the electricity supplied during the preceding 3 billing cycles to the billing cycle in which the said meter ceased to function or became defective provided that the condition with regard to use of electricity during the said 3 billing cycles were not different from those which prevailed during the period in which the meter ceased to function or became defective”.

The internal auditors have taken the actual recorded consumption during 06/15 to 08/15 since the consumption during the above months are consistent and match with the GTCS provisions. It is also noticed that the consumption recorded during 09/15 is abnormally high and hence the auditors have not taken into consideration the consumption during that particular month for arriving at the average consumption during 10/15.

7. Point of consideration:

Whether the Respondents are entitled to collect the average charges during meter defective period?

8. In accordance with the provisions contained in clause No. 7.5.1.4.1 the Respondents are entitled to issue bills on average basing on the consumption recorded during previous three months. In the instant case since the meter digits are cut during 10/15 the internal auditors have rightly pointed out the short billing and recommended to bill for 10028 units amounting to Rs.64,580/- . It is also pertinent to point out that the Respondent No.3 has promptly issued a notice to the complainant on levy of proposed shortfall amount of Rs. 64580/-. But it seems that the complainant had not preferred any objection within the stipulated time but raised objection only at the time of payment of the bill. Notwithstanding raising of objection by the complainant the respondents are entitled to bill average consumption during meter defective period as per the provisions contained in Clause No.7.5.1.4.1 of GTCS. It is also not out of place to mention that the consumption billed during 10/15 is abnormally low when compared to the consumptions recorded in any month from Jan'2014 to Apr' 2018. The consumption pattern clearly established that the levy of shortfall consumption of 10028 units for Rs.64,580/- is in accordance with the rules and the Respondents are entitled for collection of the said shortfall amount.

9. At this point of time it is pertinent to clarify the misconception of the complainant that the energy meter readings were recorded for a time span of 50 days for which the bill was issued for an amount of Rs. 1,28,813/-. To the above statement the clarification is as follows

a) In the month of 08/2015 Respondent 2 had issued a CC Bill for 39515 units by oversight to an amount of Rs. 2,56,337/- and addressed a letter to the Respondent 3 to rectify the bill by deducting 20000 units. Hence Respondent 3 has revised the bill for 19320. So 08/2015 month bill was revised to 19320 units which amounts to Rs. 1,27,524/- for 30 days only. Hence there is no problem with 08/2015 bill. Even though the check readings were taken on 31.08.2015, the same was not reflected in the bill. So, there is no question of issuing CC Bill for 50 days.

b) In the month of 09/2015 Respondent 2 had issued bill for 4835 average units with meter status as 'Meter Change'. For this month consumption (4835 units) internal Audit wing had raised shortfall units of 10028 taking the average of preceding 3 months consumption from 5/2015 to 7/2015. Accordingly shortfall amount of RS. 64,580/- was raised in the bill. So, Bill was issued to full month instead of 10 days.

10. As a result the Forum is of the firm opinion that the shortfall amounts levied by the Respondents are in consonance with the GTCS provisions and accordingly the complaint is disposed off.

If aggrieved by this order, the Complainant may represent to the Vidyut Ombudsman, Andhra Pradesh, Flat No:401, 4<sup>th</sup> Floor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063, within 30 days from the date of receipt of this order.

This order is passed on this, the 15<sup>th</sup> day of May 2018.

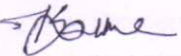
Sd/-  
Member (Finance)

Sd/-  
Member (Technical)

Sd/-  
Independent Member

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.

Copy to the Nodal Officer(Chief General Manager/Operation)/CGRF/APSPDCL/TPT.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4<sup>th</sup> Floor, Ashoka Chambers, Opposite to MLA Quarters , Adarsh Nagar,Hyderabad-500063.

Copy Submitted to the Secretary, APERC,11-4-660, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.