

**BEFORE THE FORUM**  
**FOR REDRESSAL OF CONSUMER GRIEVANCES**  
**IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI**  
**On this the 19<sup>th</sup> day of March 2019**  
**C.G.No:343/2017-18/Tirupati 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**

Sri K. Venkata Ramana  
C/o. M/s. Lakshmi Venkateswara Stone Crushers,  
Mekalavaripalli,  
CTM(M),  
Chittoor -Dist.

Complainant

**AND**

1. Assistant Divisional Engineer/Madanapalli ( R )
2. Senior Accounts Officer/O/Tirupati
3. Superintending Engineer/O/Tirupati

Respondents

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**ORDER**

1. Sri. K. Venkata Ramana Partner, M/s. Lakshmi Venkateswara Stone Crushers, Mekalavaripalli (V), Madanapalli presented a complaint before this Forum in person on 09.03.2018 and the same was registered as C.G. No.343/2017-18. The complainant in his submission has informed that he is having a stone crushing unit in the name of M/s. Lakshmi Venkateswara Stone Crushers under HT Category – 1 with CMD of 98 KVA vide Service No. TPT 2037. He has paid all the bills promptly from time to time, while so he has observed that RMD was shooted up from Feb'2017 gradually resulting in boost up of KVAH. By observing the boost up of RMD he represented for checking the correctness of the meter duly paying the relevant fees. The DPE wing came for his premises and changed the meter. A new meter was fixed on 28.07.2017. As per his knowledge the boost up of KVAH and other readings by the defective meter was much earlier than Feb'2017 and noticed by him only after abnormal readings were marked. Even though the CC bills for February, March, April and May were abnormal he made full payment of the bills. For the months June and July the CC bills were much more abnormal and beyond his limits and hence made only part of the bills duly taking the permission from the superior officers. He was informed that the defective meter was sent

**DESPATCHED**  
**DATE 26/3**

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to the manufacturer for checking clarification and correctness. Then he had requested Respondent No.1 regarding defective meter testing reports and revision of bills through letters and telephonic conversations. The DPE wing has informed him that they are coming to check the correctness of the old meter which was replaced with a new one in his presence only. But they never came to him nor invited him to the MRT lab for testing the meter. As per the guidelines of the GTCS, the amount collected for meter correctness test paid by him is to be repaid as the meter was found defective. During December' 2017 he was informed by the Respondent. No.2 that bills from Feb'2017 to July'17 were revised and an amount of Rs. 8,95,184.64 was withdrawn from the bills. But as per his knowledge and calculations an amount of Rs. 12,48,798/- should have been withdrawn as per the guidelines of GTCS issued by the Hon'ble APERC. He has also enclosed a statement to that effect. Finally he has requested the forum to consider the above facts and render justice.

2. Respondent No.3 filed his written submission and stated that ADE/HT Meters -2 CTR has inspected the complainant service on 28.07.2017 and found that the existing meter is defective i.e. recorded abnormal demand. Due to this the defective meter was replaced with new one on the same day. The removed meter was sent to manufacturing company for testing and the complainant had paid testing fees of Rs.5,000/-. The complainant has represented vide his representation dt : 04.08.2017 to withdraw wrong MD recorded in the HT meter for the period from 02/2017 to 07/2017. Respondent No.1 sent a report to withdraw the wrong MD recorded in the meter taking average MD of 107.06 KVA. The ADE/HT meters informed that the meter manufacturing company reported that the meter internal firm was corrupted due to high voltage faults occurred on 05.07.2017 and caused meter no display. The meter manufacturer reported that the meter is defective from 05.07.2017 but respondent No.1 submitted to revise the bill from February' 2017 onwards. Based on the recommendation of Respondent No.1 and meter test reports the bills from 02/2017 to 07/2017 were revised along with surcharge and withdrawn an amount of Rs. 8,95,185/- vide RJ No. 40/12-2017. Meanwhile the complainant submitted that authorization is given to Sri. D. Sai Ram Prasad who is also a partner to represent him in the present case and also to represent for personal hearings.
3. Personal hearings were conducted on 23.10.2018 and 28.01.2019 in the Court Hall, Tirupati for which both the complainant's representative and respondents presented and reiterated their versions. The complainant submitted his additional submissions vide his letter dt: 30.10.2018 and the same was received in this forum on 06.11.2018. He has raised the following additional points:
  - i) To revise the bills from Jul'2016 to Jul'2017
  - ii) Revise the bills with PF as 0.95

- iii) Revise the power bills according to KWH conversion to KVAH.
- iv) Revise the power bills with RMD average of 3 previous months i.e. Apr'2016 to Jun'2016 with an average RMD as 93.9 KVA.
- v) The consumption of 33,499 KWH recorded for the month of June'17 which was very abnormal and he never consumed that much of power even in any two months combined in the total history.

Hence requested to reduce the same on average consumption. He had also enclosed one calculation sheet depicting already billed, ought to be billed from Jul'2016 to Jul'2017.

The respondent No.1 in his submission dt :03.12.2018 has elucidated that the ADE/HT Meters/ CTR had conducted periodical testing of the complainant meter on 18.02.2017 in the presence of the complainant and found that the error in the HT energy meter is within the permissible limits. He has also enclosed copy of the HT meter test record Dt.18.02.2017 which was also signed by the complainant. The HT meter manufacturing company M/s. Secure Meters Ltd., has issued meter analysis report of the complainant service and declared that the HT energy meter is faulty with effect from 05.07.2017 and due to corruption in memory causes no display for the meter.

The Respondent No.3 in his submission dt: 01.12.2018 has also reiterated the version of respondent No.1 and also stated that average MD recorded is normal except in the month of Jul'17. Even after replacement of defective meter, the RMD of the complainant was reached to 127.2 KVA during May'2018. The complainant has also applied for additional load of 22 KVA since his existing load is more than 98 KVA and same has been regularized with effect from 03.07.2018 and hence the average MD assumed by the complainant is not correct. He has also submitted that the calculation sheet provided by the complainant for HT bills from Jul'2016 to Jul'2017 is not in accordance with GTCS and Tariff order issued by the Hon'ble APERC. The complainant has taken average maximum demand as 93.9 KVA which is least recorded during Apr'2016 to Jun' 2016. As per Clause 7.5.1.4.2 of GTCS in case of meter defective the average MD should be taken based on 3 consecutive billing cycles during the preceding 12 months where the condition of working were not different. Hence the average taken by the complainant is not correct. Further the MD shoot up was taken place on 05.7.2017 due to high voltage fault and hence it does not show impact on energy recorded from Jul'16 to Jul'17. Hence the average energy taken by the

complainant is also not correct and not tenable. The request of the complainant to revise the bills from Jul'16 to Jul'17 is not considerable, since the meter is healthy during periodical inspection done on 18.2.2017 and meter is defective only from 05.07.2017.

4. Point for determination is whether the complainant's CC bills are liable to be revised from Jul'2016 to Jul'2017 as per the request of the complainant?

The case of the complainant is that there was a boost up of KVAH and other readings prior to 2017 and hence the bills are to be revised from Jul'16 to Jul'2017 and the meter testing charges paid by him are liable to be refunded as the meter was found defective.

During the personal hearing held on 28.01.2019 the respondent No.1 has informed that since the defects noticed in the HT meter is to be resolved by the manufacturer of the meter and hence the removed meter was sent for testing to the manufacturer and the same fact was recorded in the meter reading register and acknowledged by the complainant. Hence the allegation of the complainant that the respondents have not intimated him about the testing of the meter in the MRT Lab is not tenable. The respondents are bound to inform the complainant about the date and venue of the testing if the testing is taken place in the departmental lab. But in the instant case since the HT meter was sent for the testing to the manufacturer, even the respondents were also not accompanied the testing, intimation of the same to the complainant is not tenable. Further the complainant has not placed any authority/orders of Hon'ble APERC before this Forum regarding testing of the meter by the manufacturer in the presence of the complaint.

However the pleading of the complainant that the meter testing charges paid by him are to be refunded is as per the provisions of the GTCS Clause No.7.3.3 and the Licensee shall bear the cost of testing if the meter is found to be defective and hence the meter testing charges of Rs.5,000/- is liable to be refunded to the complainant by way of adjustment in the future bills.

The pleading of the complainant is to revise the bills from Jul'16 to Jul'2017 is not tenable since the manufacturer of the meter has categorically furnished in his findings that high voltage fault was occurred on 05.07.2017 and hence the meter is considered to be faulty with effect from 05.07.2017 only. The revision of bill made by the Respondents is found to be reasonable and hence the point is answered accordingly.

5. In result the respondents are directed to refund an amount of Rs.5,000/- paid by the complainant towards the meter testing charges by way of adjustment in the future bills. The complaint is accordingly 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 day of 19<sup>th</sup> March 2019.

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 (Executive Director/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.