

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

On this the 11th day of June 2018
In C.G. No: 76/ 2017-18/Vijayawada 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.S. Ravikanth,
S/o. K.S.R. Murthy,
10/310-2,
Nizampet Post Office,
Machilipatnam,
Krishna-Dist

Complainant

AND

1. Assistant Engineer/O /Machilipatnam D2
2. Assistant Divisional Engineer/O/ Machilipatnam
3. Divisional Engineer/O/ Machilipatnam

Respondents

1. K.S. Ravikanth S/o. K.S.R. Murthy resident of H. No. 10/310-2 Nizampet, Machilipatnam presented a complaint through post and the same was registered as C.G.No.76/2017-18.
2. The case of the complainant in brief is that his family is having HSC No. 6222109008600. The average consumption is 272 to 300 units per month. But suddenly in one month the meter overran and showed 732 units. He thought the same was unusual and lodged a complaint before the AE/Machilipatnam and then the meter was sent to the lab for test. The meter was tested in his absence and without his knowledge and he was informed that the meter is healthy. He has requested the AE to give him an opportunity to have a second check of the meter, since it was sent to the lab without prior notice to him. He has suspected the healthiness of the meter. He has also alleged that there could be a manmade mistake in the lab, otherwise how it can be healthy so he requested for the test of meter second time in his presence. But his request was not considered. Hence the complaint.
3. Respondent No.1 in his written submission has elucidated that the complainant has represented on 18.5.2017 that his CC bill was on high side and requested to check the

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correctness of the meter. After collecting the necessary charges, the meter was replaced with new one. Initially the complainant has said that he will proceed along with the meter for testing. The Sub Engineer/ D2 Section/ Machilipatnam called on the complainant to attend for the testing of the meter. But the complainant expressed his inability to attend the testing of the meter as he was out of station and that the test of the meter could be done in his absence. Hence the meter was sent for testing. The AE/LT Meter gave a report that the meter is healthy vide letter No: 1030/2017 Dt: 06.06.2017 and the same was informed to the complainant. The complainant again sent a letter by way of registered post addressed to the DE/M&P for testing the meter for second time.

4. The other Respondents have not filed any written submissions.
5. A personal hearing was conducted on 27.04.2018 at the office of the SE/O/Vijayawada.
6. Both parties present and heard.
7. Points for determination are:
 - 1) Whether the request of the complainant for testing of the meter for the second time is a technically feasible one?
 - 2) Whether the bill for the month of 06/2017 is liable to be revised?

Point 1:

Respondent No.3 in his letter dt:15.05.2018 down loaded on 31.05.2018 through mail stated that after testing of the meter in the MRT Lab and after six months the meter will be dumped in the meter scrap and it cannot be expected to get the same results again if the meter is re-tested. So in view of the specific stand taken by respondents and as it was informed that meter was dumped into scrap yard, there is no scope for re-testing of the meter as desired by the Complainant.

The contention of the complainant is that the date of testing of the meter was not informed to them, whereas the contention of the Respondents is that when the complainant was contacted, inturn complainant informed that he is not attending for meter testing. So the meter was tested in the absence of the consumer. This is a disputed fact which cannot be ascertained by the Forum without any documentary evidence. The contention of the consumer that the meter has again to be tested on the ground that the previous test was not conducted in his presence is not tenable. Generally the date of testing will be informed to the consumer at the time of payment of testing fee itself and it is the duty and responsibility of the consumer to be present at the time of testing and if it is not possible for him to attend testing, for any reason he has to intimate the same to the

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concerned in advance. So merely complainant says that he was not informed about the date of testing, the same cannot be taken into consideration and meter cannot be re-tested. Accordingly the point is answered.

Point 2:

In this case the meter was found to be healthy but the complainant's contention is that the pattern of consumption by him clearly shows that there was abnormal reading in the month of Jun'2017. Where there is a dispute in respect of recording of consumption by the meter, the Forum is competent to decide the disputed question as per the provisions of 7.3.6 of General Terms and Conditions of Supply. Relying upon the above provision, the account statement of the consumer from Jun'2015 onwards was obtained and verified. As could be seen from the consumption pattern of the complainant from Jan'2015 to May'2018, it is observed that the consumption varies from 200 units to 370 units except in the month of Jun'2017 (732 Units) and Jul'2017 (420 Units) . Though the meter test results shows that meter is healthy, the pattern of consumption recorded for the last three years shows that the complainant availed consumption of electricity to a maximum of 370 units except in the above two said months, testing of the meter is only one of the parameters to determine the consumption of the meter and it cannot be taken as the sole criteria to determine the consumption. Sometimes there is possibility of jumping of digits due to voltage fluctuations and other factors. Taking the consumption pattern of the complainant for the last 3 years into account and also the recording of consumption after replacement of the meter it can be safely presumed that the consumption recorded for the months of Jun'2017 and Jul'2017 is on high side and the same can be rectified or adjusted as per the provisions of Clause No. 7.5.1.4.1 of GTCS.

8. The average consumption of the preceding three months is 329.333 rounded to 330 units ($306+351+331 = 988/3$). So the same is taken as consumption of the complainant for the months of June and July'2017 and bills for those two months shall be revised. Point is answered accordingly.
9. The complainant stated that his grievance was not resolved immediately by the Respondents and he is entitled to compensation. But the facts of this case shows that on questioning the healthiness of the meter by the consumer, respondents advised the consumer to pay necessary fees for testing the meter and accordingly after payment, the meter was tested. Aggrieved by the result of the meter testing, complainant demanded for re - testing and when it was refused by the respondents that there is no provision for

re - testing, complainant approached this Forum. There was no delay in attending the grievance of the complainant. There was no deficiency of service on the part of the respondents. So complainant is not entitled for any compensation. Point is answered accordingly.

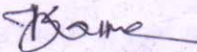
10. In result, the respondents are directed to revise the bills for the months of June and July'2017 duly taking the preceding three months consumption i.e. average of 330 units and withdraw the excess units billed. The excess amount paid by the complainant shall be adjusted in the current/ future bills. Accordingly the complaint is disposed off.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, and Flat No: 401,4thFloor, 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 11th day of June 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 ,4th Floor,
Ashoka Chambers, Opposite to MLA Quarters , Adarsh Nagar,Hyderabad-500063.
Copy Submitted to the Secretary, APERC,11-4-660, 4th Floor, Singareni Bhavan, Red Hills,
Lakkikapool, Hyderabad- 500 004.