

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 26th day of February 2019
C.G.No:64/2018-19/Tirupati Circle

Present

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

Chairperson
Member (Finance)
Independent Member

Between

M/s. Indus Towers Ltd,
Survey No.133,4-51,
8th floor,
SLN Terminus,
Besides Botanical Gardens, Gachibowli ,
Hyderabad

Complainant

AND

1.AAO/ERO/Srikalahasthi
2.AE/O/K.V.B. Puram
3.ADE/R/Srikalahasthi
4.DE/0/Tirupati *Rusals*

Respondents

ORDER

1. The complaint was presented by one Veera Madan Mohan Reddy, Manager for M/s. Indus Towers Ltd.
2. The case of the complainant is that the service No.5433120000596, Cat-2 of Kalathur (V) released in the name of M/s Indus Towers received abnormal bills from October' 2013 to April'2014. The meter was replaced in the month of September'2013. After that generating monthly bill was increased up to April'2014. They suspected the functioning of the meter and paid testing fee of Rs.300/- on 24.12.2013. The meter was replaced with new one and received the bills consumption without load variation. The test report was not yet received. Hence the excess paid amount may be returned.
3. AAO/ERO filed written submission stating that the office has not received any meter testing report of MRT division, Tirupati either from the consumer or from the section office for revision of CC bills. ADE/RSD/SKHT filed written submission requesting time on the ground that on verification of the records available at the office, the data relevant for furnishing the reply was not available. Subsequently also he has not filed any written submission.
4. A personal hearing was conducted on 28.01.2019 at Tirupati. Representative of the complainant, Respondents No. 1, 2, 3 and 4 were present. They have also not filed test results.

DESPATCHED
DATE *6/3/19*

C.GNo:64/2018-19/Tirupati Circle

Whereas the complainant has insisted to withdraw the excess billing from Oct'2013 to Apr'2014, since the meter has recorded excess consumption and the respondents have not furnished the meter test results.

5. Point for determination is whether the bills issued from Oct'2013 to Aprt'2014 are liable to be paid by the complainant?

The complainant has paid meter testing charges on 24.12.2013 and requested to furnish the test results, since the meter has recorded excess units from Oct'2013 to Apr'2014. The respondents failed to produce the test results in spite of repeated reminders.

As could be seen from the statement of account of the said service connection it is noticed that the service was released on 24.12.2008 with a contracted load of 15 KW. The meter of the said service connection was stuck up during 08/2013 and a new meter was fixed during 09/2013. During the meter stuck up period of 08/2013 the respondents have issued average bill for 1653 units taking average of preceding three months as follows:

05/2013 Consumption	1360
06/2013 Consumption	1497
07/2013 Consumption	2103

The complainant has paid the bill for the average consumption without any dispute. The consumption recorded in the new meter is as follows:

11/2013	3310
12/2013	3500
01/2014	3606
02/2014	5672
03/2014	6200

The said new meter also became stuck up during 04/2014 and hence average billing of 5159 units was billed taking preceding three months consumption as follows:

Jan'2014	3606
Feb'14	5672
Mar'14	6200

From the above it can be seen that though the complainant has requested to arrange for testing of the meter and paid meter testing charge of Rs.300/- on 24.12.2013, the respondents have not initiated any action in sending the meter for testing purpose. This new meter was also replaced with a new one during 06/2014 the consumption recorded in the new meter is as follows:

06/2014	1653
07/2014	1439
08/2014	1349
09/2014	2196
10/2014	1625
11/2014	2041
12/2014	2656
01/2015	1474
02/2015	1308
03/2015	1490
04/2015	1649
05/2015	1671

The consumption during subsequent months also continued to be recorded on this trend only barring 4225 units during 06/2017.

From the above, it can be safely concluded that the average consumption billed during 08/2013 i.e. 1653 units is reasonable and in accordance with the provisions contained in Clause No.7.5.1.4 of GTCS. Further though the complainant has paid meter testing charges on 24.12.2013, the respondents have continued with the existing meter till the meter became defective during 04/2014 and replaced with new one during 05/2014 only. The respondents have also failed in submitting meter test results even till today. Complainant cannot be put to hardship for the lapses of the respondents. The billing pattern from 11/2013 to 05/2014 clearly denotes that meter has recorded excess consumption when compared to either preceding months or after replacement of the meter. Hence it can be said that the meter has recorded excess consumption

from 11/2013 to 05/2014 and the same has to be revised duly taking into account the provisions of GTCS. Thus the point is answered accordingly.

6. In result the respondents are directed to revise the bills from 11/2013 to 05/2014 duly taking into the average consumption of 1653 units as adopted in the month of 08/2013 which is in accordance with the provisions of Clause No. 7.5.1.4 of GTCS. The excess amount paid by the complainant may be refunded by way of adjustment in the future bills. Accordingly the complaint is disposed off in favour of the complainant.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, Flat No:401, 4th 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 26th February 2019.

Sd/-
Member (Finance)

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 ,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, Lakdikapool, Hyderabad- 500 004.