

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

On this the 10th day of December 2019

C.G.No:24/2019-20/ Guntur Circle

Present

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

Chairperson
Member (Technical)
Member (Finance)
Independent Member

Between

K.Srinivasa Rao,
4-5-29/52 B,3/9,
Vidya Nagar,
Guntur- Dist

Complainant

AND

1. Assistant Account Officer/O/Guntur Town-2
2. Assistant Executive Engineer/O/Guntur-11
3. Deputy Executive Engineer/O/Guntur Town-2
4. Executive Engineer/O/Guntur Town-1

Respondents

ORDER

1. Complainant filed the complaint stating that he received abnormal bill in the month of April'2019 and requested to revise the bill.
2. Respondent No.4 filed written submission stating that he received letter from respondent No.2 stating that CC bill was issued for the month of January'19 for 3719 units for a small house. Meter was changed on 15.11.2018. Consumer paid amount for challenging test of the meter. The meter was working normally. The total recorded consumption from 09/2018 to 02/2019 with an average of 646 units per month. Based on that respondent No.1 had withdrawn an amount of Rs.5,880/-. Consumer has paid Rs.10,000/-

DESPATCHED

DATE 19/12

3. Respondent No.1 also filed written submission on similar lines.
4. Personal hearing was conducted on 17.10.2019 through video conferencing. Heard both sides. Complainant requested time for submission of additional information and subsequently filed additional information.
5. The point for determination is whether the bill issued in the month of January'19 for 3719 units for an amount of Rs. 32,647/- is liable to be revised?

According to the complainant, he obtained service connection under Cat-1 vide service connection No.1122500405871 in August'18. He has leased out the premises only in the month of September'19 to A. Siva Sai S/o. Sri Krishna and prior to that the premises was vacant and also filed affidavit to that effect attested by Notary. He also filed affidavit of the tenant stating that the house was taken by him for rent on 01.09.2019 only.

According to respondents the service was released on 08.08.2018 with a contracted load of 6 KW. The account statement shows that consumption in the month of August'18 and September'18 is nil. The consumption in the months of October'18 and November'18 is 17 units 25 units respectively. In the month of Decemebr'18, the meter has shown that 3719 units were consumed in that month. According to respondents the meter was changed on 15.11.2018. The consumption from January'19 to July'19 is as follows:

Jan'19	74 units	Feb'19	37	Mar'19	07
Apr'19	03	May'19	17	Jun'19	23
Jul'19	22 and 16	Aug'19	07	Sep'19	75
Oct'19	266	Nov'19	242		

So the above pattern of consumption shows that even after change of the meter the consumption is less than 50 units from February'19 to August'2019 except in the month of January'19 for 74 units. According to the complainant, he has leased the premises on rent in the month of September'19. So the consumption from September'19 to November'19

need not be taken into consideration. The calculation made by the respondents shows that they have taken total consumption from October'18 to April'19 and divided it by 6 and calculated the consumption as 647 units per month and the bill was prepared for 647 units per month. Respondents did not dispute the fact stated by the complainant that the house was vacant till September'19.

Clause No. 7.5.1.4 of General Terms and Conditions of Supply provides the procedure for computation of assessed units:

“Clause No.7.5.1.4.1, 7.5.1.4.2 and 7.5.1.4.3 is as follows:

- 7.5.1.4.: When a meter is found to be defective during meter reading or on inspection or Otherwise, the following guidelines shall be followed for computation of the assessed units.*
- 7.5.1.4.1: The number of units to be billed during the 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 three 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 three billing cycles were not different from those which prevailed during the period in which the Meter ceased to function or became defective.*
- 7.5.1.4.2 If the conditions with regard to use of electricity during the periods as mentioned above were different, assessment shall be made on the basis of any 3 (three) consecutive billing cycles during the preceding 12 Months when the conditions of working were not different.*
- 7.5.1.4.3 Where it is not possible to select any 3 (three) consecutive billing cycle consumption, as indicated in clause 7.5.1.4.1 or 7.5.1.4.2 above, or if there is no meter installed, the number of units shall be assessed on the basis of the Assessment Rules in Appendix XII herein. Industrial consumers shall be given due consideration for the production figures and conditions of working in the period under question. For all services/ equipment, which cannot be classified with the aid of the groupings under LT I, II, III, Annexure XII (V) of Appendix XII of the GTCS may be used for the calculations. Annexure XII (V) of Appendix XII is also applicable for services under LT IV, V, VI, VII and VIII”.*

In this case the service was released only in the month of August'18. So the procedure contemplated under Clause No.7.5.1.4.1 and 7.5.1.4.2 of GTCS are not applicable to this case.

Respondents have not taken the connected load in the premises before changing of the meter. So the procedure contemplated in Clause No.7.5.1.4.3 of GTCS cannot be adopted in this case. Respondents only relied upon the challenge test report. Except the challenge test report there is no other material to show how there was abnormal consumption of 3719 units in one month. It is pertinent to note that even after change of the meter the consumption recorded in the next month is only 74 units i.e. in the month of January'19 and subsequently it was less than 50 units till August'19. It is not reasonable without any supporting data to conclude that the consumption recorded for 3719 units in one month is correct and the average units have to be assessed basing on the total units from October'18 to March'19 i.e. 2 months prior to the abnormal recording of units and subsequent 4 months after change of the meter to raise the bill. The procedure adopted by the respondents is not correct.

Clause No. 7.3.6 of General Terms and Conditions of Supply authorizes this Forum to determine the dispute when the complainant objected for rising of such abnormal bill and when the respondents fail to provide sufficient data to support that meter challenging test is correct. There may be sudden jumps in recording of consumptions due to system disturbances and the same cannot be ruled out. It is not the case of the respondents that there was abnormal consumption by the complainant or there is an accumulated consumption. On the other hand respondents also admitted that the house was vacant.

In view of the above reasons, it can be safely concluded that recording of 3719 units in one (1) month is abnormal and it was happened on account of system disturbances and respondents are not entitled to raise bill on the meter recorded consumption units. The point is answered accordingly.

6. In the absence of any material and procedure contemplated under GTCS, the Forum is of the opinion to meet the ends of justice, has to estimate the consumption in that month only. The total consumption for the subsequent months after change of meter from January'19 to


March' 19 is only 118 units. So respondents are directed to raise bill for that 118 units only and withdraw the bill for the remaining units and issue revised bill within 15 days from the date of the receipt of this order and compliance be reported within 15 days thereon. The excess amount paid by the complainant if any shall be adjusted in future bills. Accordingly the complaint is disposed off.

If aggrieved by this order, the Complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008 within 30 days from the date of receipt of this order.

This order is passed on this, the day of 10th December 2019.

Sd/-	Sd/-	Sd/-	Sd/-
Member (Technical)	Member (Finance)	Independent Member	Chairperson

Forwarded By Order



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 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008 within 30 days from the date of receipt of this order

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