

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

**On this the 31<sup>st</sup> day of May' 2021**  
**C.G. No: 20/2019-20/Anantapur Circle**

**Present**

**Sri. Dr. A. Jagadeesh Chandra Rao**  
**Sri Y.Sanjay Kumar**  
**Sri. Dr. R. Surendra Kumar**

**Chairperson**  
**Member (Technical)**  
**Independent Member**

***Between***

A.Chandra Mohan,  
C/o. M/s. Shivani Servicing Center,  
Venkatampalli,  
Bogasamudram,  
Tadipatri (M),  
Anantapur Dt.

Complainant

***AND***

1. Assistant Accounts Officer/ERO/Tadipatri
2. Assistant Executive Engineer/O/Tadipatri Rural
3. Deputy Executive Engineer/O/ Tadipatri
4. Executive Engineer/O/Gooty

Respondents

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**ORDER**

1. Complainant presented a complaint before the Forum stating that to his Cat -II service with service connection No. 7231142000276, the consumption was between 500 to 600 units from 01/2018 to 07/2018. But the consumption abnormally raised from the month of August-18 till replacement of the meter. He had applied for testing of meter on 14.11.2018. After 80 days from applying for testing, the technical staff inspected his service and rectified the error, result of which the consumption of units got down to the earlier range of 500 to 600 units per month. Again the technical staff had replaced the meter without informing him and issued CC bill for the month of 05/2019 as 1116 units and requested to waive off the improper charges for the monthly CC charges from 08/2018 to 03/2019 and 05/2019 CC bills and to issue revised CC bills for the said period.

**DESPATCHED**

2. Respondent No.4 submitted his written submission to the forum stating that respondent No.3 had informed to AEE/CT Meters-2/ Anantapur to inspect the service and submit a detailed report and meter may be changed if any fault is found. Accordingly the AEE/CT Meters-2/Anantapur inspected the service on 20.03.2019 and the meter was replaced after noting down all the parameters and downloading MRI Dump. The AEE /CT Meters-2/Anantapur examined the MRI Dump data and submitted that the abnormal consumption recorded due to the capacitors load only as the capacitors are kept in 'ON' condition at 'No load'. The HPL make meter is OK and errors are within the permissible limits. At the time of inspection also 10 KVAR capacitor removed which is connected directly to the incoming side after meter. While reviewing the service history it is found that the KWH and KVAH units are in near with slight difference only which represents that consumptions recording correctly in the meter. Hence the revision of bill is not possible due to the defect is on the complainant side and not in the meter.
3. The AAO/ERO/Tadipatri i.e. respondent No.1 submitted his written submission stating that the service consumption pattern of the complainant's service was observed and the CC bills were served in live status from 08/2018 to 03/2019 under KVAH units. In 03/2019 there is no discrepancy in the bill as per consumer representation. In 04/2019 (03/2019 consumption bill issued in 04/2019) , the meter was changed and bill was issued as per the software designed by the APSPDCL. The complainant old meter was replaced on 20.03.2019 and from bill issue to meter changed period average units of 760.5 KVAH units were taken and from the replaced period the meter reading of 355 units were taken for billing purpose. In the above calculation designed by the APSPDCL Company, there is no discrepancy in the bill for 04/2019 for 1116 units.
4. This forum considering the material on the record found no merits in the complaint and complaint was dismissed.
5. Aggrieved by the orders of the forum, complainant preferred a representation to Hon'ble Ombudsman vide Appeal No. 49 of 2019-20. Hon'ble Ombudsman set aside the order of the forum with a direction to dispose of the case afresh on all aspects including the aspects as pointed out supra in this order in accordance with the provisions of GTCS-2006 and relevant regulations made under the Electricity Act. The forum shall take this case to its original number on its file, issue notices to both parties and give an opportunity

to both parties to file additional pleadings and lead evidence, if parties want to do so, before the case is decided on merits.

6. In obedience to the orders of the Hon'ble Ombudsman, notice was issued to both parties. Complainant did not choose to file any additional submissions. Respondents filed additional submissions stating as per the billing pattern CC bills issued under live status (01) from 08/2018 to 03/2019 for KVAH units as per Tariff Order. There is no discrepancy of bills in March' 19 and April' 19. The meter was changed on 20.03.2019. Bill was issued on 05.04.2019 for March'19 consumption issued in April' 19. Average taken upto meter change as per CBS 760.50 after meter change as per new meter consumption 355.00. Bills issued to meter change period called as exceptional period, it was taken average units 760.50 KVAH and added to the consumption units in new meter (0 to 355) total units  $(760.50 + 355) = 1115.50$  or say 1116 units. There is no discrepancy in the bill of 04/2019. AEE/CT Meters-2/Anantapur has certified that abnormal consumption was recorded due to capacitors load only as capacitors are kept in 'ON' condition at 'NO LOAD' and meter is found 'OK'. As per service consumption history, it is found that KWH, KVAH units and Power Factor are in standard manner in the period from 08/2018 to 03/2019. AEE/CT Meters-2/ Anantapur has examined the MRI Dump Data and submitted final report that the abnormal consumption recorded due to the capacitors load only as the capacitors are kept in 'ON' condition at 'NO LOAD'. At the time of inspection also the 10 KVAR capacitor removed which is connected directly to the incoming side to the meter. While reviewing the service history, it is found that KWH and KVAH units are in near with slight difference only which represents that consumption recorded correctly in meter.
7. Personal hearing through video conferencing was conducted on 23.04.2021. Complainant was absent. No representation. Complainant has also did not furnish additional submission till today. Hence the complaint has to be disposed basing on the available material on the record.
8. Point for determination is whether the bill from August'18 to March'2019 is liable to be revised?

The contention of the complainant is that he is getting readings ranging between 500 to 600 units per month from January'18 to July' 18 but there was abnormal increase in the readings from August' 18 to November' 18. He suspected defect in the meter and paid Rs.2,645/- at mee-seva on 14.11.2018 for checking of the meter, there was no response. Again he issued reminder letter on 05.02.2019. Within 6 days of his letter Dy.EE/O/Tadipatri sent technical staff and the problem was rectified, after rectification he received CC bill for 644 units in 04/2019. If technical staff inspected the meter, checked the meter in November and rectified the error he would have got normal readings. But suddenly the meter was replaced without any intimation to him and gave bill for 1116 units in May' 19, without taking meter reading though it was working properly.

On the other hand according to version of respondents, AEE/CT Meters-2/Anantapur has certified that abnormal consumption was recorded due to capacitors load only as capacitors are kept in 'ON' condition at 'NO LOAD' and meter is found 'OK'. The consumption history shows that KWH & KVAH units and power factor are in standard manner for the period from August' 2018 to 03/2019. AEE/ CT Meters-2/Anantapur has examined the MRI Dump Data and stated that abnormal consumption recorded due to capacitors load only as the capacitors are kept in 'ON' condition at 'NO LOAD'. At the time of inspection the 10 KVAR capacitor removed which is connected directly to the incoming side after meter. Admittedly both parties did not adduce any evidence. This forum is empowered to dispose of the matter as per Clause No. 12.7 of Reg. 03/2016 which is as follows:

***“Subject to the specific provisions of this Regulation, the Forum shall be guided by the principles of justice, equity and good conscience and may regulate its own procedure accordingly”.***

Proceedings before consumer Fora's are summary proceedings for speedy adjudication of the issues without going into the gamut of full dress trial. So this forum is also adopted the same analogy and it has to decide this case based on the preponderance of probabilities only.

It is also held by National Consumer Disputes Redressal Commission, New Delhi in a case between D. Shankar vs Gopi Agencies & Others Reported in IV (2010) CPJ 73 (NC) as:

*“These letters /admissions/actions of OP’s 1 and 3 since soon after the accident to March 1995 lend strong credence to the substance of the complainant’s contentions. We may recall that adjudication of consumer complaints in summary proceedings is based on preponderance of probabilities and not on application of the rigorous provisions of the Evidence Act enjoining proof beyond doubt. In our opinion, the State Commission erred in not duly considering the collective weight of these documents/admissions and conduct of Ops 1 and 3 and coming to the conclusions that it did”.*

The consumption history of the service shows that the reading KWH & KVAH units and power factor are in standard manner for the disputed period. The Power Factor is also between 1 to 0.95 during that period. The CT meter test report given by AEE/ CT Meters-2/Anantapur shows that performance of meter is satisfactory. MRI Dump Data was also examined by AEE/ CT Meters-2/Anantapur and found that capacitors are kept in ‘ON’ condition at no load. It is an admitted fact that complainant has to look after the functioning of capacitors. .

According to the complainant he paid amount for testing of meter in mee-seva on 14.11.2018. He also wrote a letter on 05.02.2019 to Dy. EE/O/Tadipatri that meter was not tested though he paid the amount about 80 days back. There after Dy. EE responded within 6 days, send the technical staff and staff rectified the error and he has got bill for 679 units in April. Suddenly the meter was replaced without any intimation.

The para wise remarks filed by B. Ramasura Reddy AEE/CT Meters-II/Anantapur shows that the complaint of the consumer not attended due to communication problem and the HPL make software is in problem and not working to download the meter data and took sometime to rectify HPL software. The meter was checked on 11.02.2019 with Accu Check Online Kit and downloaded the meter data through HPL software on 11.02.2019 in the presence of Sri. Nagendra, Manager of the complainant M/s. Shivani Service Center. On testing the meter SC No. 7231142000276, the meter found in good condition with percentage error of -0.32% and noticed that 10 KVAR capacitors are directly connected in line after CT Meter which acted as load on No Load Condition which led to consumption record. The capacitors are not fixed to the individual loads in the consumer site. The same was intimated to the person at the time of inspection to remove the capacitors which are directly connected to the line and fix it to individual loads separately. The said Nagendra, Manager refused to sign in the meter testing report dt : 11.02.2019.

Dy. EE/O/Tadipatri wrote a letter dated 19.03.2019 to AEE/ CT Meters-2/Anantapur stating that consumer is complaining the billing units are high and lead suppression program is not existing. Hence requested to inspect the meter.

The para wise remarks of B. Ramasura Reddy, AEE/CT Meters-II/Anantapur in para 4 stated that Dy. EE/O/Tadipatri on 19.03.2019 requested to check and submit the detailed report, whether the lead suppression program or any defects found in the meter. Since consumer repeatedly requesting to replace the meter, the meter was replaced on instruction of Dy.EE/ O/Tadipatri on 20.03.2019 and also removed the existing 10 KVAR capacitors which are connected directly to the incoming line side after CT Meter. The final readings with all parameters are noted in test report. The person at the time of inspection Mr. A. Manjunadh Gowd signed in the inspection notes. The consumer has not removed his 10 KVAR Capacitors connected directly to the line even though informed him previously on 11.02.2019. The removed HPL make meter data was dumped to the CMRI and verified. The details of the removed meter shows that the meter is in good condition within permissible limits and the abnormal consumption is recorded in the meter due to capacitors load only. Complainant also admitted that after 6 days after his letter to Dy.EE/O/Tadipatri for non-examination of the meter, the meter was tested but according to the complainant, the technical people rectified the defect and he started to receive bill normally but suddenly the meter was replaced without his intimation. But on the other hand the letter addressed by Deputy Executive Engineer to AEE/CT Meters-2/Anantapur and para wise remarks submitted by AEE/ CT Meters-2/Anantapur shows that even after the inspection, complainant not satisfied and complained about recording of high consumption. Hence the meter was tested and at the time of inspection A. Manjunath Gowd representative of the complainant present and signed on 20.03.2019 but the same was replaced as per request of Dy.EE/O/Tadipatri on account of request made by the consumer. It is the specific case of AEE/ CT Meters-II/Anantapur that though he advised the complainant on 11.02.2019 to remove 10 KVAR capacitors connected directly to the line, they were not removed and Mr.Nagendra, Manager of the complainant though present did not sign in it. The meter test report dt: 11.02.2019 shows that he did not find any incriminating points during the testing of meter. The meter was again tested on second time and issued report stating that the performance of the meter is satisfactory. So the contention of the complainant that though the meter is functioning properly, it was removed without his knowledge is not correct and the

meter was only removed though working normally at the request of the complainant. The test reports and para wise remarks submitted by AEE/CT Meters-2/Anantapur could not be brushed aside only on the ground that these documents are not marked through his evidence. AEE/CT Meters-II/Anantapur also stated the reasons for not immediately inspecting the meter is due to communication problem, HPL make meter software problem and not working to download the meter data and took some time to rectify the HPL software. Inspection has to be made within 15 days in rural areas and replace within 15 days thereafter as per Schedule –II of Reg. 07 of 2004. There was a delay of about 60 days in inspecting the meter in this case. Unless and until the software problem is rectified, there is no possibility for the officers to test the meter. Since field officers have given explanation for the delay and the meter is in good condition and as it is not proper to award compensation when the delay had occurred due to software problem which is beyond the control of the field officers. Hence No compensation is awarded.

The para wise remarks of AEE/ CT Meters-2/Anantapur shows that though immediately after inspection on 11.02.2019 complainant was advised to remove 10 KVAR capacitors but they were not removed and they were removed on 20.03.2019 at the time of replacing the meter. So the abnormal recording of consumption was only due to keeping of capacitors in 'ON' condition even at 'NO LOAD'. The meter was replaced on 20.03.2019 and subsequently tested and found that performance is satisfactory.

In view of the fact that the abnormal consumption in the disputed period was due to wrong usage of capacitors and as complainant did not file any additional material before this forum, there is no need to revise or review the orders passed earlier. The point answered accordingly.

9. Hence in view of the above reasons the complaint is dismissed.

If aggrieved by this order, the Complainant may represent to the Vidyut Ombudsman, Andhra Pradesh, 3<sup>rd</sup> 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.

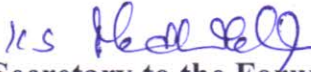
This order is passed on this, the day of 31<sup>st</sup> May'2021.

Sd/-  
Member (Technical)

Sd/-  
Independent Member

Sd/-  
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 (Chief General Manager (O&M)/ Operation)/ CGRF/ APSPDCL/  
Tirupati.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh , 3<sup>rd</sup> Floor, Sri Manjunatha  
Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra  
Nagar, Mahanadu Road, Vijayawada-520008.

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