

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 30th day of December' 2021
C.G.No.26/2021-22/Tirupati Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao	Chairperson
Sri. Y. Sanjay Kumar	Member (Technical)
Sri. K. Ramamohan Rao	Member (Finance)
Sri. Dr. R. Surendra Kumar	Independent Member

Between

P. Ramamurthy rep by Basha, CTM (V& P), Madanapalli, Chittoor Dt.	Complainant
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AND

1. Assistant Accounts Officer/ERO/Madanapalli	Respondents
2. Deputy Executive Engineer/O/Madanapalli (R-II)	
3. Executive Engineer/O/Madanapalli	

ORDER

1. The case of the complainant is that P. Ramamurthy is having service connection No.5213405002742. The service is used for running groundnuts factory. CC charges were paid regularly. On 18.3.2021 the meter was burnt. On the same day, he applied for new meter. But due to Covid-19 and other reasons the factory was closed for 45 days. On 02.5.2021 a new meter was arranged. But the industry was not in running condition due to Covid-19 but still he received a CC bill for ₹.53,067 for the month of June on 04.06.2021. Then on 07.06.2021 he presented an

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application to Dy. EE/O/Madanapalli Rural-II against the abnormal bill. Dy.EE/O/Madanapalli Rural-II advised him to pay bill on average basis and issued a bill for ₹.7,694 on 08.06.2021 and that amount was paid by him. The field officers did not test the meter. Again in the month of July he received a bill for ₹.89,970. In the month of July he was informed that the meter is good condition and directed to pay the amount and further informed that the capacitor was in on condition and for that reason only he received abnormal bill. The same capacitor was in service even prior to change of the meter. He has not kept the capacitor in on condition as the factory was closed due to Covid-19. He is suspecting that old meter was arranged instead of a new meter. If the average bill for the year is taken into consideration, he never utilized such abnormal consumption. The problem arose only after change of meter in May and June. The problem arose due to installation of old meter. Hence taking the facts into consideration the bills issued in the months of June and July be set aside and issue new bill basing on average consumption.

2. Respondents filed written submission stating that the energy meter for service connection No.5213405002742 Cat- III with a contracted load of 40.32 HP was burnt on 18.3.2021. Consumer has paid meter burnt charges on 19.3.2021. Due to lack of availability of CT Meters, the supply was extended directly to the consumer from 19.3.2021 to 2.05.2021 and billing has been done based on average units in the month of April' 21 under status burnt (11). CT Meter was replaced with new meter on 02.5.2021. The new meter particulars are make : Landis :MSL No.4994968 ..Cap.3x125 /5A : MF: 1. At the time of billing in the month of June, AE/O/CTM has noticed abnormal KVAH consumption (KWH-617 and KVAH -7472) and billed under status 'Meter stuck up'(02) suspecting the meter defective. Consumer was not utilizing supply due to Covid-19 pandemic in May'21. Consumer was informed by the

AE/O/CTM about abnormal consumption in KVAH and requested AE/CT Meters to check up meter healthiness. The AE/CT meters inspected the above service on 23.6.2021 and issued inspection report stating that meter condition is satisfactory and error is within permissible limits AE/CT Meters also found and stated that abnormal KVAH consumption was due to consumer 'SWITCHED ON' the capacitors directly to the supply side continuously and same was informed to the consumer. However consumer paid meter testing charges of ₹.2,500 on 29.06.2021 AE/O/CTM requested to change the meter status from meter stuck up (02) to live (1) on 29.06.2021 and same was effected by AAO/ERO/ Madanapalli. In July month billing service was billed under live status and readings are KWH- 1288 and KVAH-12931 and issued the bill for ₹.89,970 AE/ CT Meters tested the meter on 15.7.2021 and reported that meter performance was satisfactory and error was within permissible limits. In July' 21 field staff verified the service and observed that there was no problem in meter and suggested to pay the bill amount without any revision. The high KVAH units consumption recorded due to the reason that the consumer continuously maintained the capacitor in running condition.

3. Personal hearing through video conferencing was conducted on 22.09.2021. Basha represented for the complainant. EE/O/Madanapalli present. Heard both sides.

On inquiry about the status of Basha in representing the case on behalf of Ramamurthy registered consumer for the service, it came to light that Basha is the lessee of the premises and he is in possession of the property. When he was asked to file documents in respect of possession of property as lessee, he has filed Photostat copy of un-registered lease agreement and it shows that lease was obtained by T.S. Ali basha S/o. Nabisab from Gaddam Srinivasulu S/o. G. Venkta Ramana.

Again in the personal hearing through video conferencing conducted on 23.10.2021, when Basha was questioned about this aspect, he informed that the premises was purchased by his lessor but name was not changed for service connection and sought time to furnish documents.

Again personal hearing through video conferencing was conducted on 8.12.2021. Basha could not file the documents to show that his lessor purchased the property from the complainant.

Respondents admitted that Basha is in possession of the premises and utilizing the service.

4. The point for determination is whether the bill for the month of June'21 and July'21 are liable to be revised?

The definition of Complainant is provided under Clause.2.4 of Reg. 03 of 2016. Clause.2.4 (e) of Reg. 03/2016 is as follows :

“An occupier of premises to which electricity is or has been supplied by Licensee”.

Since it is represented that Basha is utilizing the service connection, this forum is of the opinion that his grievance can be entertained by this forum.

The contention of the complainant is that after transformer the meter is fixed thereafter fuse is arranged and thereafter capacitor and MCB are arranged and lastly starter was fixed. He used to remove the fuse every day. He never put capacitors in on condition. He is suspecting that the abnormal consumption of KVAH due to new meter only and for that reason only he had paid challenge fees. It appears that old meter was arranged. His consumption for the last year never is equivalent to the present reading. So KVAH in the disputed months of June and July is abnormally high.

On the other hand the contention of respondents is that capacitors are kept in on condition and the abnormal recording of KVAH is only due to that reason. The meter was tested and found satisfactory. Consumer is liable to pay the bill.

The account statement of service No.5213405002742 shows the following readings:

Billing Date	Closing Status	Closing reading of KWH	Closing reading of KVAH	PF	Billed units KWH	Billed units KVAH
02.01.2020	3	32019	35851	# DIV /0	0	0
11.01.2020	1	32019	35851	# DIV /0	0	0
04.04.2020	9	32019	35851	# DIV /0	0	0
22.05.2020	1	0	0	1.00	1432	1432
03.06.2020	9	0	0	# DIV /0	0	0
02.07.2020	9	0	0	# DIV /0	0	0
03.08.2020	9	0	0	# DIV /0	0	0
04.09.2020	9	0	0	# DIV /0	0	0
02.10.2020	1	0	0	1.00	281	281
2.11.2020	1	2	5	0.40	2	5
03.12.2020	2	2	5	1.00	663	663
02.01.2021	1	159	198	0.91	382	421
03.02.2021	1	973	1048	0.96	814	850
03.03.2021	1	1469	1564	0.96	496	516
03.04.2021	11	1469	1564	1.00	676	676
06.05.2021	1	0	0	1.00	454	454
08.06.2021	2	0	0	1.00	760	760
03.07.2021	1	1288	12931	0.10	1288	12931
04.08.2021	1	1526	13253	0.74	238	322
3.09.2021	1	1976	13903	0.69	450	650
03.10.2021	1	2742	15104	0.69	766	1111
03.11.2021	1	4116	16713	0.81	1374	1699
03.12.2021	1	4992	17875	0.75	876	1162

The above readings shows that the billed units KWH ranges from 281 to 1432 and billed units KVAH ranges from 281 to 12931. Only the billed units under KVAH in the month of Jul'21 is 12931 and the maximum KVAH units in the remaining period in Nov'2021 for 1699. Only in the months of May'2020,

October, November and December '2021 KVAH units exceeded 1000 units. So it clearly shows that there was abnormal KVAH Reading in the month of July'21. In that month the billed units KWH is 1288 whereas billed units KVAH was 12931. The Power factor in preceding 3 months i.e. in the months of June, May and April is unity i.e. 1 and in March and February it is 0.96 and in January 0.91 and in Dec'2020 it is again unity. So the PF is almost near to one during the preceding 7 months.

The written submission of respondents shows that the defective meter was replaced on 02.5.2021. According to respondents, AE/O/CTM noticed abnormal consumption of KVAH at the time of billing in the month of June. The bill date in the month of June is 08.06.2021. The bill was taken under meter stuck up status suspecting meter defect.

According to respondents AE/CT Meters inspected the service on 23.06.2021 and issued report that meter condition is satisfactory and further observed that abnormal consumption was due to capacitors in on condition.

When AE/O/CTM observed that KVAH consumption is abnormal at the time of recording consumption units for billing, he ought to have verified the reason for abnormal consumption of KVAH. Had he verified and noticed that the abnormal consumption was due to the fact of capacitors is in on condition, he would have certainly informed the said fact and consumer would have certainly rectified the defect. AE/CT Meters simply said to have stated that the abnormal consumption was due to capacitors in on condition but no inspection report was prepared at the spot to that effect. AE/CT Meters inspected the premises on 23.06.2021 and said to have submitted report on 15.07.2021. No explanation was given when AE/O/CTM found abnormal recording of consumption on 08.06.2021 when he was recording consumption of energy in the meter and why there was a delay of 15 days in examining the meter by AE/CT Meters. So also when AE/CT meters found that meter condition is in satisfactory and the

abnormal KVAH recording was due to switching on capacitors on 23.6.2021, why meter testing report was not furnished and what is the reason for consumer to pay testing charges of ₹.2,500 on 29.6.2021 i.e. after 6 days of examination of meter by AE/CT Meters . Respondents have also did not choose to file meter change slip when the meter was changed on 02.5.2021 and so also the meter test report. According to the complainant excess reading in the meter is due to fixing of old meter. Respondents did not specifically answer on this point.

According to respondents, the abnormal consumption is due to switched on the capacitors whereas the contention of consumer is that he is having the habit of removing the fuse when the factory is not in working condition and the question of switching on capacitors when the factory was closed does not arise. No documentary evidence is available on this aspect. When there are two versions available on the record , the version beneficial to the consumer has to be taken into consideration.

On careful perusal of the bill information mentioned above clearly shows that the abnormal consumption of KVAH is in the month of July'2021 only. The abnormal consumption of KVAH may be due to recording of high consumption on account of system disturbances or when used meter was fixed without taking the initial reading displayed in that meter.

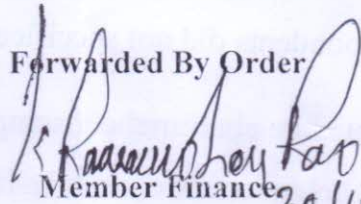
Since the abnormal KVAH is only in the month of July'2021 and respondents failed to show by adducing satisfactory evidence that abnormal KVAH recording is only due to capacitors in on position. We are of the view that CC bill issued basing on the abnormal consumption of 12931 units is not sustainable and liable to be revised.

Respondents are directed to revise the bill for the month of July'2021 taking the KWH consumption of 1288 as KVAH reading and issue bill duly considering the units of recorded earlier months. The point answered accordingly.

5. In the result respondents are directed to revise the bill for the month of July '2021 taking KVAH readings as 1288 units. If complainant paid any amount, the same shall be adjusted towards future bills. The compliance report shall be submitted within 15 days from the date of receipt of this order.

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

Forwarded By Order


Member Finance 30/12/2021.

This order is passed on this, the day of 30th December'2021

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.

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 , 3rd 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, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.