



## THE VIDUYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV substation, Hyderabad Boats Club Lane  
Lumbini Park, Hyderabad - 500 063

:: Present :: **R. DAMODAR**

Saturday, The Eighth Day of June 2015

Appeal No. 15 of 2015

Preferred against Order Dt. 13-03-2015 of CGRF In

CG.No: 425/2014 of Karimnagar Circle

M/s Deputy engineer, Tyres  
Earstwhile APSRTC, Tyre Retreading,  
Karimnagar.

... Appellant

1. The ADE/Town/Karimnagar.
2. The DE/Operation/Karimnagar.
3. The DE/DPE/Karimnagar.
4. The SAO/CO/Karimnagar.
5. The SE/Operation/Karimnagar.

... Respondents

The above appeal filed on 29.04.2015 coming up for hearing before the Viduyut Ombudsman, Telangana State on 04.06.2015 at Hyderabad in the presence of Sri. M. Krishna, AME (tyres) Warangal, representing the Appellant and Sri. L. Ramulu, ADE/OP/Town/Karimnagar, Sri. R. Ravinder DE/OP/Karimnagar and Sri. L.Srinivas, Junior Assistant/HT Section/Circle Office/ Karimnagar for the Respondents and having considered the record and submissions of both the parties, the Viduyut Ombudsman passed the following;

### AWARD

The Appellant is a Tyre Retreading wing of Earstwhile APSRTC. The Appellant has 24 Hrs working in 3 shifts and it has a service connection bearing No. KRN-095, Category HT-I

of Karimnagar town. It is stated that Sri. R. Ravinder, DEE/DPE/Karimnagar had inspected the service connection of the Appellant on 13/8/2013 at 01.00 Hrs and noticed all currents of meter normal, voltages in R and Y phases normal and P phase low. He advised ADE/HT-M/Karimnagar to inspect and take necessary action. The defective CTPT was replaced on 28/12/2013. The ADE/OP/Town/TSNPDC/Karimnagar issued an assessment notice Dt. 7/2/2014 to the appellant demanding payment of Rs 5,07,524/- on the basis of short billing for the period from 06-2013 to 28/12/2013. The appellant met the assessing officer regarding the short billing and later preferred a complaint before CGRF Warangal seeking withdrawal of the assessment notice. The appellant further claimed that it has regularly paid the bills for the electricity consumed from June 2013 to 28/12/2013 as shown below.

SL.NO	MONTHS	MONTHLY PAYMENT IN RUPEES	REMARKS
1	JUN-2013	88580.00	
2	JUL-2013	148182.00	
3	AUG-2013	123167.00	
4	SEP-2013	131447.00	
5	OCT-2013	100185.00	
6	NOV-2013	117177.00	
7	DEC-2013	115166.00	
	TOTAL	823904.00	(Average)117701

2. The appellant claims, on the basis of the above table, that during the period of June 2013 to 28 Dec 2014 it had paid the monthly average of Rs. 15,240/- in excess totalling Rs. 1,17,701/- and after the defective meter and CTPT were replaced, it has been paying Rs. 1,02,461/- .The Appellant claimed that in view of the excess payment, the assessment notice for Rs. 5,07,524/- is liable to be dropped.

3. The SAO, ADE/OP/Town and DE/DPE/Karimnagar opposed the appeal and filed reports. The ADE/OP/Town-karimnagar claimed that while taking monthly reading of HT Services from 22/7/2013, it was found that 1-Ph voltage was missing in the service connection of the Appellant and it was intimated to the Appellant. He noted so in the reading register of the Appellant and at the same time, intimating the DE/DPE/Karimnagar in the matter. The DE/DPE/KNR inspected the service connection on 13/8/2013 in the presence of the representative of the Appellant and found 'B' phase voltage missing in the energy meter and it was recording low. He further found CTPT as defective and recommended its replacement, which was done on 28/12/2014 with a delay of 4 and ½ months, due to non-availability of CTPT sets.

4. The Respondents termed the explanation given by the Appellant that on the advice of their Head Office, it had minimised the use of electricity consumption and therefore, there was reduction in the consumption of energy, as not correct, because after replacement of the meter and defective CTPT with new ones, the consumption of energy has not shown any reduction in the average consumption.

5. The consumption pattern(KVAH) of the service connection at 2 stages, after replacement according to the respondents is shown in the table below:

SL.No	After Replacement of Defective CTPT	KVAH Comp	Before Replacement of Defective CTPT	KVAH Comp	% Difference
1	July-2014	38242	July-2013	31450	21.59
2	Aug-2014	32786	Aug-2013	23940	36.95
3	Sep-2014	37528	Sep-2013	27710	35.43
4	Oct-2014	28942	Oct-2013	22360	29.43
5	Nov-2014	37710	Nov-2013	28100	34.19

6. The respondents, from the above table, have seen that during CTPT defect period, the energy recorded was approximately 33% less, when compared with the corresponding

period of succeeding year after replacement of defective CTPT.

7. The appellant claims that there is no need to claim short billing and that it has nothing to do with the alleged allegations relating to short billing, and that it is not liable to pay any amount to the respondents. The claim of the respondents is that the defective CTPT set was replaced on 28/12/2013 and the test report from HT- meter was received on 17/1/2014. The respondents have reviewed the consumption of the service and found the consumption fell from 07-2013 onwards. The ADE/OP/Town/Karimnagar had recorded the voltages and currents of the meter display and found the voltage reading in “B” phase on 22/7/2013 as unsatisfactory and proposed back billing for one phase down till CTPT set is replaced on 28/12/2013. The ADE/OP/Town/Karimnagar similarly claimed and found 1-phase voltage missing (recording low).

8. After examining the material and also the submissions, the CGRF found that since the ADE/DPE/Karimnagar had recorded voltages of V1-6.23 kV, V2-6.55 kV, and V3-2.42kV at the service connection and on that basis, ADE/OP/Town/Karimnagar back billed 50% of recorded consumption, and such percentage of back billing was found as not correct. The CGRF on the basis of voltage in ‘B’ phase as 2.42 kV, arrived at the loss at 25.3% of the recorded consumption and arrived at the back billing amount of Rs. 2,67,680/-, instead of Rs. 5,07,524/- which the respondents flagged and directed withdrawal of the excess amount of Rs 2,39,844/- through the impugned orders.

9. Aggrieved and not satisfied with the findings of CGRF, the appellant preferred the present appeal.

10. The point for determination is whether the entire back billing amount of Rs 507524/- should be set aside?

**POINT**

11. It all started with the inspection of service connection of the Appellant by Sri. R. Ravinder, DE/OP/Karimnagar on 13/8/2013 who found the voltages in the 3 phases as follows:

V1- 6183.5 kVA

V2- 6448.5 kVA

V3 - 234.8 kVA

The inspecting officer found a) all currents to the meter are normal.

b) Voltages in R and Y are normal and in “B” phase low.

12. After replacement of CTPT on 28/12/2013 in the light of voltage drop, the meter display voltages, currents were found as follows:

V1-6.28 kVA

V2-6.34 kVA

V3-6.35 kVA

and thus the parameters, after change of CTPT were found normal.

13. The DE/DPE/Karimnagar (R3) contended that in fact Sri. R. Ravinder DE/DPE/Karimnagar had inadvertently mentioned the voltage of the affected phase V3 as 234.8 and in fact it ought to be .234 when divided by 1000, but since this mistake has been carried over till now, and the record presented in this case showed 234.8, he is relying on this figure to arrive at the short billing amount. The respondents have filed the inspection note, but the representation of the appellant when directed to produce this meter reading register maintained at this office could only say that it was not noted and found missing at the same time etc. The noting of the voltages under display parameters on the date of inspection cannot be denied by the appellant and the consequences thereof, even though the appellant is not responsible for this defective CTPT.

14. The appellant contended that in view of the conservation measures taken by it, the consumption came down and not because the consumption was more and recording was less, because of the so called defective phase. The respondents on this aspect contended that there could be no reduction in use of energy because of the defective phase and there is no reduction in the consumption of energy. By agreeing with the said contention, the CGRF, while directing finalisation with 25.3% of recorded consumption, arrived at the back billing amount of Rs 2,67,680/- in the place of Rs 5,07,524/- through the impugned orders.

The appellant is claiming that the energy consumption pattern from June 2013 to 28/12/2013 (during the defective meter and CTPT) is as shown in the table below.

SL.NO	MONTHS	MONTHLY PAYMENT IN RUPEES	REMARKS
1	JUN-2013	88580.00	
2	JUL-2013	148182.00	
3	AUG-2013	123167.00	
4	SEP-2013	131447.00	
5	OCT-2013	100185.00	
6	NOV-2013	117177.00	
7	DEC-2013	115166.00	
	TOTAL	823904.00	(Average) 117701

15. The appellant's version of the consumption pattern for the period from Jan-2014 to July -2014(after replacement of CTPT and meter) is as follows:

SL.NO	MONTHS	MONTHLY PAYMENT IN RUPEES	REMARKS
1	JAN-2014	93934.00	
2	FEB-2014	122842.00	
3	MAR-2014	90174.00	
4	APR-2014	79776.00	

5	MAY-2014	129050.00	
6	JUN-2014	90174.00	
7	JUL-2014	111275.00	
	TOTAL(AVG)	717225.00	(Average)102461

16. Based on the amounts paid during the defective CTPT and meter and after replacement of CTPT and meter, the appellant claims that there is virtually no significant change in the consumption pattern and in fact, it has paid an average of Rs 1,17,701/- during defective CTPT and meter period and after replacement, it has paid Rs. 1,02,461/- in an average and thus, they have paid more amount towards energy charges during the defective CTPT and meter. The appellant contended that based on this information, there could be no factum of low reading in one phase as claimed by the respondents. The respondents on this aspect specifically contended that the statistics based on units consumed should be taken and not amounts as illustrated above, because the amounts claimed included fuel surcharge and other charges paid by the Appellant, on which it (Appellant) has no answer. The argument of the Appellant that the consumption of energy has to be seen on the basis of the amounts paid during the defective period and after the replacement of CTPT, and not on the basis of the units consumed, cannot stand to reason and it is untenable.

17. Initially, the respondents have issued the assessment notice based on the premise that voltage, currents in V3 phase was 0.242 and whereas, CGRF has correctly taken the voltage found as 2.42 based on the record and arrived at the finding that the back billing amount should be taken as Rs. 2,67,680/- after setting aside the back billing amount of Rs 5,07,524/-.

18. There is no material on record to find fault with and set aside the findings in the impugned orders. There are no merits in the appeal and it is dismissed.

Corrected, signed and pronounced on this the 8th day of June 2015.

**VIDYUT OMBUDSMAN**

1. M/s Deputy engineers, Tyres  
APSRTC, Tyre Retreading,  
Karimnagar.
2. The Assistant Divisional Engineer, Town, Karimnagar.
3. The Divisional Engineer, Operation, Karimnagar.
4. The Divisional Engineer, DPE, Karimnagar.
5. The Senior Accounts Officer, Circle Office, Karimnagar.
6. The Superintending Engineer, Operation, Karimnagar.

**Copy to:**

7. The Chairperson, Consumer Grievance Redressal Forum, Vidyut Bhavan,  
Nakkalagutta, Hanamkonda, Warangal.
8. The Secretary, TSERC, 5<sup>th</sup> Floor Singareni Bhavan, Red Hills, Lakdikapool,  
Hyderabad.