



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

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

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

Monday, the Twentieth Day of July 2015

Appeal No. 39 of 2015

Preferred against Order Dt. 21-10-2015 of CGRF In

G.No: 253/2014 of Rangareddy south Circle

Between

B. Ravinder Reddy
Plot No 395, Road No 14
Green Park Colony,
Saroor Nagar, Hyderabad.

Appellant

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AND

1. The AE/OP/Champapet/TSSPDCL/RR Dist.
2. The ADE/OP/Champapet/TSSPDCL./RR Dist.
3. The AAO/ERO/Champapet/TSSPDCL./RR Dist.
4. The DE/OP/Champapet/TSSPDCL/RR Dist.
5. The SE/OP/RR South Circle/TSSPDCL/RR Dist.

Respondents

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The above appeal filed on 21.11.2014 came up for final hearing before the Vidyut Ombudsman, Telangana State on 14.07.2015 at Hyderabad in the presence of Sri. B. Ravinder Reddy - Appellant and Sri. J. Dasaradha ADE/OP/Champapet, Sri. M. Ashok Kumar - AAE/OP/Champapet, Sri. M.V.S. Rama Krishna - AAO/ERO/Champapet for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

- The Appellant is owner of M/s B.R.R Gardens, Champapet having service connection No. 4508-00703. It is alleged that in the month of March, 2015 at the time

of recording the reading, it was observed that the “Y” phase voltage dropped and it recorded 75 volts while “R” & “B” phases had shown 247 volts, which was intimated to the ADE/DPE/IRR South Circle to refer the meter to MRT, for replacing the meter. On 16.5.2014 the ADE/LT.CT Meters RR South Circle inspected the service and observed that the ‘Y’ phase voltage was 14 volts. He tested the meter on the spot with ERS kit and discovered the error recorded was 31% and got the defective meter replaced. The ADE/OP/Champapet has issued a notice of back billing for an amount of Rs 5,736/- on 2.8.2014.

2. The AAO/ERO/Champapet raised an amount of Rs 18,598. The DEE/OP/Champapet has confirmed the backbilling assessed by the ADE for the assessment period for 5.3.2014 to 16.5.2014 units assessed at 2016 and units recorded as 1391 amounting to Rs 5,6,98/-, Electricity duty Rs 38 =5,736/-.

3. The Appellant is aggrieved that he was not given a personal hearing before the exercise of back billing even before the DEE/OP/Champapet and on the other hand, a bill for an amount of Rs 18,598/- has been raised and the Respondents had insisted on payment of Rs 12,162/- which is not legal. He preferred a complaint to CGRF.

4. Before the CGRF, the Respondents took a plea that the AAE observed ‘Y’ phase voltage dropped and recorded voltage 75 and whereas, R & B phase had 247 volts which was again inspected by ADE/LT CT Meters, RR South Circle who with ERS Kit found ‘y’ phase 14 volts and error on the whole as 31% and got the defective meter replaced.

5. After hearing both sides and evaluation of the material on record, the CGRF found the claim of the Respondents valid and disposed of the complaint, while observing that the claim of the Appellant regarding DEE/OP/Champapet not giving him personal hearing, holding that he would have an opportunity to prefer appeal before the appellate authority SE/OP/ RR against the orders of final assessment orders of DE/OP/Champapet, which appears as too casual approach to the complaint of want of personal hearing. The DE/OP/Champapet ought to have been cautioned in the matter.

6. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal.

7. Efforts at settlement could not succeed as the complainant is asserting that he was at no fault from his side warranting back billing.

ARGUMENTS HEARD

8. The point for determination is whether the short billing of Rs 5,736/- is unsustainable?

POINT

9. The Appellant claims that when AE/OP/Champapet has recorded the meter reading, he should have known the defect in the meter if any and he did not inform him about this defect. Had it been the case, he would have paid the amount and the meter should have been rectified immediately. He is questioning why this prolonged exercise upto this level of litigation.

10. The Appellant has a valid point . Each one officer of the Respondents have their own explanation to offer which is not bringing any relief to the Appellant. Since there is a procedure for checks and balances, when ADE/OP/Champapet observed voltage drop in 'Y' phase recording 75 volts and 'R' & 'B' phases recording 247 volts, he informed about it to ADE/DPE-1 RR South Circle who inspected the service and found 'Y' phase voltage drop and referred to MRT while instructing replacement of the meter. On 26.5.2014 ADE/LT CT Meters, RR South Circle inspected the service and found 'Y' phase voltage drop 14 volts, and with ERS kit, he tested the meter and found that the error recorded was 31%. Then the defective meter was replaced with a tested one.

11. The initial discovery of voltage drop in 'Y' phase was in March, 2014 and the last inspection was on 16.5.2014 when the meter was tested with ERS kit and it was replaced with a tested meter. The Appellant is questioning this delay in completing the formalities leading to allegation of short billing from March to May, which could have been avoided to a larger extent. The Appellant has a point here. The delay in formalities lead to short billing procedure.

12. There is a peculiar feature found in this matter. In March, 2014 the 'Y' phase recorded 75 volts and on 16.5.2014 the 'Y' phase recorded 14 volts. In spite of this discrepancy, the final finding about the loss to the discom remains unchanged, because 74 volts and 14 volts drop would mean that the power consumption in 'Y' phase was not recorded at all.

13. The Respondents have noted that the error recorded was 31% from 5.3.2014 to 16.5.2014 showing loss of 625 units valued at Rs 5,736/- for phase 'Y'. The calculation of loss of amount is based on data obtained on 16.5.2014, regarding the voltage drop

in 'Y' phase. There is a strong possibility that had the loss been estimated in March, there would have been less loss to the Distribution company and less strain to the Appellant. There is no material on record to show that the short billing is unsustainable on any ground.

14. The free advise of CGRF in the impugned order to the Appellant to approach SE/OP/RR South Circle to present his claim regarding back billing issue, is nothing but further aggravating the issue wasting the time of the Appellant. Instead of deciding the matter finally and once for all, driving the consumer to another forum is not a good practice.

15. The Respondents when specifically asked, ought to have given a personal hearing to the Appellant/Consumer which is an important omission in the case, which the CGRF ought to have rectified.

Corrected, Signed and Pronounced on this 20th day of July 2015.

VIDYUT OMBUDSMAN

1. B. Ravinder Reddy
Plot No 395, Road No 14
Green Park Colony,
Saroor Nagar,
Hyderabad.
 2. The AE/OP/Champapet/TSSPDCL/RR Dist.
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 5. The DE/OP/Champapet/TSSPDCL/RR Dist.
 6. The SE/OP/RR South Circle/TSSPDCL/RR Dist.
- Copy to:
7. The ChairPerson, CGRF, Greater Hyderabad Area TSSPDCL,
Vengal Rao Nagar, Hyderabad.
 8. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyd.

