

VIDYUT OMBUDSMAN
O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004

Present

K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated 02-03 - 2012

Appeal No. 64 of 2011

Between
Sri D.Venkateswarlu
D.No.5-50-80, Scanda Suppliers
Rohini Arcade, 4/19, Brodipet
Guntur - 2

... Appellant

And

1. Addl. Asst Engineer/Operation/D-8/APSPDCL/Guntur
2. Asst. Accounts Officer/ERO-III/ APSPDCL/Guntur
3. Divisional Engineer/Operation/ Nallacheruvu/APSPDCL/Guntur
4. Superintending Engineer / operation/APSPDCL/Guntur

....Respondents

The appeal / representation dt.15.09.2011 (received on 17.09.2011) against the CGRF order of APSPDCL (in CG No.36/2011-12 of Guntur Circle dt.12.08.2011). The same has come up for hearing before the Vidyut Ombudsman on 03-02-2012 at Tirupathi. Appellant absent. No representation on behalf of the appellant. Sri M.Vasanth Rao, ADE/O/Town-II/Guntur, and Sri G.Naga Srinivas, AAO/ERO/Town-II/Guntur on behalf of respondents present, heard and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

AWARD

The petitioner filed a complaint against the Respondents for Redressal of his Grievances before consumer redresal grievance forum, tirupathi projecting mainly the following grounds:

“The complainant stated that he is paying C.C.Charges promptly from October 2008 with monthly consumption of about 35 units and bill amounts Rs 150/-. But bills were received by him for Rs 250/- , Rs 350/- in December 2008-09 irregularly, but he paid the same. He also received bills received ranging from Rs 500/- to 1000/- later and he paid these bills also. But for November & December 2010 and January 2011, bills were received for upto Rs 3000/-. He informed the Assistant Engineer/D-8 about

the ascending nature of bill amounts and paid Rs 50/- by DD and handed over to the Assistant Engineer for testing of the nature suspected running erroneously. The meter was changed on 6/1/2011 and the Assistant Accounts Officer/ERO-II issued revised bill dt:08-02-2011 and paid in the said ERO on 08-02-2011 with this there are no old dues. But in March 2011 i.e. on 16-03-2011 the Assistant Engineer/D-8 /Guntur disconnected his service though the due date for payment was 18-03-2011 and disconnection date was 3-4-2011. His service was under disconnection from 16-03-2011 to 24-03-2011 i.e. for a period of 8 days. Even the higher authorities including the Divisional Engineer/Operation/ Guntur & Superintending Engineer/Operation/Guntur and also the Assistant Accounts Officer/ERO-II/ Guntur did not care for his request. Requested for taking into consideration, the consumption for January 2011 to March 2011 and from September 2008 to January 2011, the bills are to be revised and the balances amounts to be paid back to him besides awarding compensation for disconnection for his service. He requested for compensation amount of Rs 4500/- for 9 days for not supply of electricity with negligent & careless attitude of the departmental officials. Requested for justice.”

2. The respondent No.1 has submitted his written submissions as hereunder:

“ The SCNo:151247 of D-8 section, Guntur is being billed under category-II, LT. The C.C.bills for the month of 12/10 for an amount of Rs 1,103.00 is for 181 units and for the month of 01/11 for an amount of Rs 2,396.00 is for 382 units. The meter was replaced and sent for testing at MRT as per the request of the consumer. As per the results of the MRT test, the meter errors are within permissible limits. The proposal for revision of CC.bill of the service were sent to ERO on 05-02-2011 duly recommending for proportionate consumption from June 2010 to January 2011 up to the final reading at the time of replacement, as the meter condition is OK. Accordingly C.C.bill for the service was revised for the period above and an amount of Rs 561.00 was withdrawn vide RJNo:13/02-11. He further submitted that The consumer has approached the Divisional Engineer/Operation/Town-1/Guntur during Vidyuth Adalath conducted on 12-03-2011. The Divisional Engineer above called for a detailed report from the Assistant Accounts Officer/ERO/Town-2/Guntur and accordingly a report was submitted by him on 18-03-2011. The Divisional Engineer based on the report at item 7 above in his letter dt:22-03-2011 instructed to revise the bill from 10/2008 instead of June 2010 already done. Accordingly bills were revised by the Assistant Accounts Officer vide his R.J.No:08/03-11 as a result, an amount of Rs 554/- was withdrawn additionally to that already withdrawn at item 5 above totally to Rs 1,115/- and the same was informed to the consumer by the Assistant Accounts Officer/ERO in his letter dt:23-03-2011 and requested to pay an amount of Rs 928/- including all upto 03/11 C.C.bills. The consumer has paid an amount of Rs 1482/- and Rs 50/- RC fee on 24-03-2011 at E-Seva. The contention of the petition that the higher authorities including the Divisional Engineer, Assistant Accounts Officer and Superintending Engineer did not care is not correct. The Superintending Engineer/Operation/Guntur has called for a detailed report on the complaint in his memo Dt:17-03-2011 upon which only the DE/Opn/GNT acted for revision of bill taking the period from 10/2008 itself to solve the Grievance.”

3. After hearing both sides and after considering the material placed before the Forum, the Forum passed the following order:

“The respondents shall remit the amount of compensation Rs 1450/- to the complainants service/ service within one week of receipt of this order and report compliance.

Accordingly the complaint is allowed and disposed off”.

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same on the following grounds:

The actual consumption Rs.150/- per month i.e., below 35 units per month. But bills were issued for Rs 250/- per month. In the month of December 2008-09 irregular bills were issued and paid. In 2010 bills were issued for Rs.500/- to Rs.1000/- and paid the same. In November 2010, December 2010 and January 2011 above Rs.1000/- to Rs.3000/- were shown and billed the amount as Rs.3499.50ps. In the month of March 2011, the service connection was disconnected on 16.03.2011 though the bill due date was 18.03.2011 and did not give connection from 16.03.2011 to 24.03.2011. The higher authorities did not care including DE/O/. Taking into consideration 01/11, 02/11, 03/11 electricity consumption bills and also considering 09/2008 to 01/2011 electricity bills, the difference may be ordered to be paid and the Forum has failed to appreciate the said aspect and the appeal preferred by the appellant is to be allowed by setting aside the impugned order.

5. Now, the point for consideration is, “Whether the impugned order is liable to be set aside? If so, on what grounds?”

6. The appellant failed to attend before this authority and the respondents Sri M.Vasanth Rao, ADE/O/Town-II/Guntur, and Sri G.Naga Srinivas, AAO/ERO/Town-II/Guntur appeared before this authority on 03.02.2012 and submitted that the meter was tested on the request made by the appellant and it is in working condition and the Forum has rightly considered the said aspect and the appeal preferred by the appellant is liable to be dismissed.

7. It is clear from the record that the meter was replaced on 06.01.2011 and the same was tested in the laboratory on payment of amount of Rs.50/- on the request made by the appellant. The MRT test results were attested by the appellant with his signature and it was revealed that the meter condition was OK since the errors were within the permissible limits. When it is in working condition this authority has to look into other possible reasons for high consumption. The only plausible inference that can be drawn is suppression of readings in the previous months. Even that plausible conclusion has to be disregarded since they have withdrawn some amounts by revising the bills.

8. The record shows that they have disconnected the service connection on 16.03.2011 though the due date was 18.03.2011. The service connection was not restored immediately but it was restored on 23.03.2011 by taking 65 days.

9. It is clear from the very written submissions made by the respondent that they have revised and withdrawn the total amount of Rs.1115/- and the same was informed to the consumer with a request to pay an amount of Rs.928.50ps including the 03/11 bill. The consumer has already paid the bill amount of Rs.1480/-. So there is no grievance as such with regard to excess billing.

10. The only thing that is to be seen by this authority is to implement the order of the compensation awarded by the Forum. The Forum has rightly awarded the compensation of Rs.1450/- and the same shall be adjusted in the accounts of the appellant within 10 days from the date of receipt of the order.

11. With the above said observation, the appeal is disposed accordingly.

This order is corrected and signed on this day of 2nd March 2012

VIDYUT OMBUDSMAN