



**BEFORE THE VIDYUT OMBUDSMAN  
Andhra Pradesh :: Hyderabad**

:: Present ::

**C. Ramakrishna**

Date: 30-12-2015

Appeal No. 15 of 2015

Between

Sri. Ch. Raghu, C/o Blaze Studio, HRT Plaza, BENZ Circle, Vijayawada - Post Office,  
Krishna District.

**... Appellant**

**And**

1. The AAO/ERO/APSPDCL/Gunadala
2. The AE/Operation/APSPDCL/Skew Bridge/Vijayawada
3. The ADE/APSPDCL/C & O/Vijayawada
4. The DE/Operation/APSPDCL/Vijayawada Town

**... Respondents**

The above appeal filed on 24-07-2015 has come up for final hearing before the Vidyut Ombudsman on 07-12-2015 at Vijayawada. The appellant, as well as respondents 1 to 4 above were present. Having considered the appeal, the written and oral submissions made by the appellant and the respondents, the Vidyut Ombudsman passed the following:

**AWARD**

2. The appeal arose out of the complaint of the consumer about perceived excess bill received by him.

3. The appellant stated in his appeal that he had taken a photo studio bearing service connection number 6424404023279 on rent; that his service connection records usually between 300 to 400 units consumption per month; that in the month of September, 2014 it had recorded a consumption of 1313 units; that in the month of August, 2014 on not getting electricity in one phase, he had shifted the load to another phase and forgot to revert it back even after the restoration of power; that he has a small capacitor and that it has been functioning normally; that on getting the meter tested, the meter testing authorities had reported that the meter is functioning normally; that he believes that the meter is having some problem; that the excess consumption recorded by the meter in the month of September, 2014 is due to the fact that there is no power in one phase and that capacitor remained connected; and that therefore he may be meted out justice by reducing the bill for the month of September, 2014.

4. Notices were issued for hearing the matter. Respondents 1,2 & 3 filed their common written submission stating that on receipt of excess bill complaint, they deputed the line inspector; that the line inspector had reported to them that the meter is in good working condition and that the probable cause of the excess bill could be due to the direct connection of the capacitor to the mains; that on an inspection by the second respondent also it was noticed that the capacitor is connected directly to the mains and that could possibly explain the reason for the recording of excess consumption; that on being informed about it, the consumer had made necessary changes in the wiring of the capacitor; that after making the necessary changes, the meter recorded normal consumption in the months of October, 2014 and November, 2014; that on the consumer paying the challenge fees, the meter was got tested and the test report showed that the meter is working normally; and that the excess reading

recorded in the month of October, 2014 is due to the continuous charging taken by the capacitor only. The respondents further stated that the consumer be ordered to clear the arrear amount as there is no fault of the DISCOM.

5. During the course of the hearing, the appellant and the respondents reiterated what they stated in writing. The appellant kept on asserting that the fault in the meter is what had led to the recording of excess consumption. The respondents relied on the meter test and said that there is no reason to suspect the recorded consumption and that the consumer is liable to pay the bill raised. The key points that arose for consideration in this appeal are:

- a. Whether or not the consumer is liable to pay the bill as raised by the DISCOM for the month of September, 2014; and
- b. Whether or not the CGRF's order is liable to be set aside in this case.

6. From the rival submissions, It is seen that there is no fault at all in the supply or billing by the DISCOM. It is the consumer who is responsible for what goes on after the meter cut out. Admittedly, even when there is no power in one phase, his capacitor remained connected. Moreover, the consumer himself had stated that he had shifted the load from the no power phase to some other phase which is having power and forgot to shift it back even after the restoration of power. The DISCOM is no way responsible for the consequences of these actions.

7. However, based on the strong feelings expressed by the consumer this authority felt that it could perhaps be demonstrated to the consumer that the mere shifting of load from one phase to another will not lead to recording of excess consumption by the

meter. Accordingly, the respondents were directed to explain it by way practically connecting a meter in parallel. In spite of the respondents doing so, the consumer remained unimpressed and kept on sticking to his guns that it is the fault in the meter that led to the recording of excess consumption and that his consumption never goes beyond 10 units per day and that therefore, he is not liable to pay the bill received for the month of September, 2014.

8. Coming to the first issue that is framed, it is seen that the DISCOM is not at all at fault for what is done by the consumer beyond the meter cut out. The DISCOM cannot be held responsible for the arrangement of things beyond the meter cut out. The consumer came out as a person with limited knowledge of how things electric operate. It is with this limited knowledge that he tried his best to convince this authority that the DISCOM should bill him only for 300 units in the month and nothing more. In the light of the fact that the meter is found to be functioning normally in the test, this authority is not impressed with the reasoning adopted by the consumer. It was all in his hands as to how he organizes things beyond the meter cut out. He cannot hold the DISCOM responsible for it. Therefore, this authority holds that the consumer is liable to pay the entire bill for the consumption recorded in the month of September, 2014.

9. Coming to the second issue, this authority finds that there is nothing wrong with the order. The consumer also has not been able to assail the order on any ground whatsoever. Therefore, the order of the CGRF is not being interfered with.

10. In the light of the foregoing discussion, the appeal filed by the consumer is liable to be dismissed and is hereby dismissed.

11. This order is corrected and signed on this 30<sup>th</sup> day of December, 2015.

12. A digitally signed copy of this order is made available at [www.vidyutombudsman.ap.gov.in](http://www.vidyutombudsman.ap.gov.in).

### **VIDYUT OMBUDSMAN**

#### **To**

1. Sri. Ch. Raghu, C/o Blaze Studio, HRT Plaza, BENZ Circle, Vijayawada -  
Post Office, Krishna District.
2. The Assistant Accounts Officer, ERO, APSPDCL, Beside DGP Office, Opp:  
Open Bar House, Gunadala, Vijayawada-2
3. The Assistant Engineer, Operation, APSPDCL, Skew Bridge, Vijayawada
4. The Assistant Divisional Engineer, C & O, APSPDCL, Sub Divisional Office,  
Beside DGP Office, Opp: Open Bar House, Gunadala, Vijayawada-2
5. The Divisional Engineer, Operation, APSPDCL, Vijayawada Town

#### **Copy to:**

6. The Chairman, C.G.R.F., APSPDCL, 19/13/65/A, Sreenivasapuram,  
Near 132 kV Substation, Tiruchanoor Road, Tirupati - 517 503
7. The Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills,  
Hyderabad - 500 004