

**GUJARAT ELECTRICITY REGULATORY COMMISSION
BEFORE THE ELECTRICITY OMBUDSMAN, GUJARAT STATE
Polytechnic Compound, Barrack No.3, Ambawadi,
Ahmedabad-380015**

CASE NO. 20/2017

Appellant: Ms. Sona K.C.Sagar
150, Sector-8C, Gandhinagar

Represented by: Nobody attended.

V/s.

Respondent: Manager,
Torrent Power Limited,
Zonal Office, Plot No. 283, 284.
Sector 16, GH- 4½, Gandhinagar – 382016

Represented by: Smt. Mansi Joshi, Manager, TPL, Ahmedabad.
Smt. Pankti Parikh, AM, TPL, Ahmedabad.

:::PROCEEDINGS:::

- 1.0.** The Appellant had submitted representation aggrieving with the order 3976 dated 03.02.2017 passed by the Consumer Grievances Redressal Forum, TPL, Ahmedabad, in case No. 01/2017. The representation was registered at this office as Case No.20/2017. The hearing of this case was kept on 23.03.2017 and 06.04.2017, but Appellant had remained absent.
- 2.0.** Appellant has represented the case in writing as under.
 - 2.1.** Appellant is having residential connection, bearing service No.993574. She had complained on 25.11.2016 that bill for month of July,2016 and subsequent bills were found on higher side. It is submitted that she has not paid the bill post May,2016. She was also advised to get the meter changed as it was running fast. Meter was changed by Respondent on 25.11.2016. It was informed to

- remain present at Meter Testing Laboratory on 09, 10 and 12/12/2016 vide inquiry report sent at the address of Appellant.
- 2.2. Appellant had remained present at Meter Testing Laboratory on 10.12.2016 when he was told that meter was slow. The Appellant had raised question regarding the method of calculation arriving for the slowness of meter and said that method is not full proof.
 - 2.3. It is stated that Appellant has signed the check sheet at laboratory and asked option to get it tested by some independent agency. On 19.12.2016 Appellant was informed to pay the additional amount of Rs. 856.34 against slowness of meter.
 - 2.4. It is submitted that consumption shown in the month of July,2016 was 2275 units while in the month of July,2015 it was 996 units, which is considerably on higher side looking to the consumption trend for the preceding month.
 - 2.5. Appellant has referred the Section 56 of Electricity Act,2003, and submitted that demand raised by Respondent vide letter dated 19.12.2016 was improper and this shows unfair trade practice of Respondent. It is submitted that looking to the bill, the payment has been made up to May,2016, hence the period to considered for reckoning of bill would be from November,2015 to May,2016 and hence average charge for the said period may be calculated and demanded by the Respondent.
 - 2.6. It is submitted that it is a duty of Respondent to inform the consumer about the option of having the meter testing by testing laboratory which is run by an independent agency. This is not done in present case. Subsequently it was informed to Appellant by the officer of Gandhinagar Zonal office through mobile and SMS.
 - 2.7. It is submitted that Respondent had registered the complaint regarding excess bill after personally visited Zonal Office of Respondent and met the concerned officer, and complaint number was given orally.

- 2.8. It is submitted that Respondent is not following the practice of displaying the photograph of the meter showing the reading in the bill. This practice is being followed by many other electric service provider. Thus there is a scope and possibility of incorrect reading being recorded and therefore an incorrect bill being issued causing unnecessary inconvenience and harassment to the consumer.
- 2.9. It is submitted that Appellant had made complaint to 24x7 helpline number and was orally given interaction docket number and service docket number upon request of appellant, but no acknowledgement was given by SMS or mail for the complaint dated 22.12.2016.
- 2.10. It is submitted that CGRF has rejected the complaint and communicated vide letter dated 03.02.2017. Appellant has paid an amount of Rs. 23,360/- on 07.02.2017 towards electricity bill by cheque under protest.
- 2.11. It is submitted that as per the Forum order, in Para No. 4.1, the excessive billing amount corresponding to higher units i.e. 2275 reflected in the bill of July,2016 due to which it was not paid, hence the date of complaint is not material.
- 2.12. It is submitted that as per Forum order, Para No. 4.2 and 4.3, Appellant has raised the issue regarding testing of meter at Laboratory and option of meter to be tested by third party as well as there is no column in the checking form regarding noting down the objection by the consumer.
- 2.13. Appellant has submitted that Forum order is improper and against the rules, which may be quashed and set aside. It is also requested to pass appropriate order for reassessment of energy bill for consumption of electricity from May,2016 to December,2016, and to refund excess amount.

3.0. Respondent has represented the case as under.

3.1. Appellant is having single phase residential connection, bearing service No. 993574, with sanctioned load of 0.16 KW.

3.2. It is submitted that on receipt of complaint regarding high consumption/creeping on 25.11.2016, old meter was replaced on the same day and it was decided to get the meter tested in presence of Appellant at Meter Testing Laboratory of Respondent.

3.3. On 10.12.2016, meter was tested in meter testing laboratory in presence of appellant and as per test carried out the said meter was found OK, but running slow on 1/10th load.

Details of meter as per meter checking sheet of Laboratory are as under:

Meter No.	1281269	Phase	Single Phase
Make	India meters	Size	5-20 Amp.
Type of meter	Old	Reading	29109.2 Kwh
Constant	750 IMP/UNIT		
Year of manufacture	1998		

3.4. Meter testing report was signed by Appellant and at that time Appellant had not taken any objection regarding the method of testing of meter, otherwise the meter could have been sealed again in the presence of Appellant for the further testing by an independent agency. Therefore, the grievance of Appellant in this regard is not tenable.

3.5. It is submitted that meter was found to be slow at 1/10th load and within permissible limit at half and full load. It is advised not to recover Rs. 856.34 towards the same.

3.6. The reading pattern of Appellant is as under:

Month	2014	2015	2016	Type	Reading date(2016)	Remarks
Jan.	185	189	168	Actual	18.01.2016	Actual reading
March	222	195	185	Actual	18.03.2016	Actual reading
May	313	616	2275	Assessed	17.05.2016	Premise closed
July	673	966		Actual	14.07.2016	Actual reading
Sept.	423	707	1342	Assessed	15.09.2016	Premise closed
Nov.	437	617		Actual	16.11.2016	Actual reading

3.7. It is submitted that as the premises was closed, meter reading was not recorded for the period 19th March, 2016 to 17th May, 2016 and assessed bill was sent in the month of May,2016. Upon meter reading availability on 14th July,2016, actual bill for the month of July,2016 was sent. Total units consumption for two billing cycle, i.e. four months, was 2275 units and previous year consumption for the same period was 1582 units. As the premises was closed, meter reading was not done for the period 15th July,2016 to 14th September,2016, the assessed bill was sent in the month of September,2016. Upon meter reading availability on 16.11.2016, actual bill for the month of November,2016 was sent. Total units consumption for two billing cycles, i.e. four months, was 1342 units and comparison with previous year consumption for the said period was 1324 units.

3.8. As per the argument regarding Section 56 of Electricity Act,2003, that an amount equal to the sum claimed from him or an average charge for electricity paid by him during the preceding six months whichever is less, here the reading obtained by Meter Reader is proper and the bill is prepared accordingly.

3.9. Meter was testing in Laboratory in presence of Appellant and as no query was raised by Appellant the said meter was not re-sealed.

The list of GERC approved independent meter testing laboratory details were shared vide e-mail on 22.12.2016 with Appellant.

- 3.10. As per visit of Appellant at Gandhinagar Zonal Office on 25.11.2016, for the complaint regarding excess bill, Respondent has registered complaint vide complaint No.1002504096 and had given to Appellant without any insistence.
- 3.11. It is submitted that there is no scope and possibility of incorrect meter reading as the same was tested by Meter Testing Laboratory and reading obtained by Meter Testing Laboratory is 29109 which is already mentioned by Appellant which is higher than the one recorded on 16.11.2016 which is 29078.
- 3.12. It is submitted that Appellant had registered oral complaint at 24x7 helpline and Respondent had given interaction docket No.1008002004 and service docket No.1008004601, and had not registered another complaint as the complaint was already registered on 25.11.2016 at Gandhinagar Zonal Office regarding the same.
- 3.13. It is submitted the present appeal is devoid of merits and liable to be dismissed.

::ORDER::

- 4.0. I have considered the contentions of the Appellant and the Respondent and the facts, statistics and relevant papers, which are on record, and considering them in detail, my findings are as under.
- 4.1. Appellant has filed complaint regarding excess billing on 25.11.2016 vide complaint No. 1002504096. Respondent has changed meter No. 1281269 of Appellant as per Para No. 3.2. Connected load was found 8020 Watts as per meter changed sheet No.267 dated 25.11.2016. Replaced meter was inspected in presence of Appellant on 10.12.2016, as per Para No. 3.3. Meter was found running slow by -5.52% as per dial test in 1/10th load.

Meter was tested at no-load and it was found OK. Appellant has signed the checking sheet without putting any comments at the relevant point of time at laboratory.

- 4.2. Statement of consumption of Appellant for the period 01.01.2014 to 31.12.2016 was submitted by Respondent as under:

Month & year	Past reading	Present reading	Units	Reading status
01-2014	19565	19750	185	Actual
03-2014	19750	19972	222	Actual
05-2014	19972	20285	313	Actual
07-2014	20285	20958	673	Actual
09-2014	20958	21381	423	Actual
11-2014	21381	21818	437	Actual
01-2015	21818	22007	189	Actual
03-2015	22007	22202	195	Actual
05-2015	22202	22818	616	Actual
07-2015	22818	23784	966	Actual
09-2015	23784	24491	707	Actual
11-2015	24491	25108	617	Actual
01-2016	25108	25276	168	Actual
03-2016	25276	25461	185	Actual
05-2016	25461	25646	185	Assess
07-2016	25461	27736	2275	Actual-billed units 2090
09-2016	27736	28951	1215	Assess
11-2016	27736	29078	1342	Actual-billed units 127
11-2016	29078	29109	31	Actual-MR/MC

The assessed bill was sent for the month of May,2016 and July,2016 and upon availability of meter reading actual bill was issued subsequently to Appellant.

The consumption for previous billing cycle i.e. May-July,2015 was 1582 units while for May-July,2016 it was 2275 units. Similarly consumption for previous billing cycle i.e. Sept.-Nov.2015 was 1324 units while for Sept.-Nov.,2016 it was 1342 units.

- 4.3. As per Laboratory report for -5.52% slowness of meter, assessment period 29.05.2016 to 24.11.2016 was considered for 180 days and assessment amount of Rs. 856.34 was charged by Respondent and issued supplementary bill on 19.12.2016.

The original complaint of Appellant is regarding excess energy bills in which at laboratory it was found meter slow by -5.52% at 1/10th

load, and accordingly Respondent has issued above bill on 19.12.2016. As per Para No. 4.4 of CGRF order, it has rightly observed the findings of meter testing at meter testing laboratory and cancelled the recovery of Rs. 856.34 towards the same, which is as per norms and accepted.

- 4.4. The statement of account from 01.01.2015 to 31.12.2016 submitted by Respondent, Appellant has paid energy bills on 21.06.2016 and thereafter not paid energy bills. As per statement of Appellant she had paid Rs. 23360/- on 07.02.2017. Prior to registration of complaint on 25.11.2016, Appellant has not paid energy bills for previous billing cycles.
- 4.5. The sanctioned load of Appellant as per records of Respondent is 0.16 KW while connected load of Appellant is 8020 Watts. Average consumption pattern is on incremental trends from the year 2014. The grievance of energy billing could be created due to assessed billing by Respondent as house of Appellant was found closed during meter reading, which was redressed by Respondent subsequently as per Regulatory Norms. The action taken by Respondent is as per norms.
- 4.6. Looking to the above observations, assessment made by Respondent is as per Regulatory provisions and same is correct.
- 4.7. I order accordingly.
- 4.8. No order as to costs.
- 4.9. With this order, representation/Application stands disposed of.

(Dilip Raval)
Electricity Ombudsman
Gujarat State

Ahmedabad.
Date: 29.04.2017