

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
OF NORTHERN POWER DISTRIBUTION COMPANY OF A.P.
LIMITED: WARANGAL.**

06th Day of January, 2011.

Present : Sri. T. Sadarlal : Chairperson
Sri. G. Raveendranath : Member (Accounts)
Sri. K. Ramesh : Member (Legal)

C.G. No. 295/2010 of Warangal Circle

Between

Sri. M. Venkataiah
Assistant General Manager (MIS)
General Manager Telecom District,
M/s. Bharat Sanchar Nigam Limited,
S.C. No. 119
1st Floor, BSNL Bhavan,
Warangal-Dist.
Pin Code No. 506 050.

Complainant

AND

1. Assistant Engineer/Operation/Town/Mahabubabad.
2. Assistant Divisional Engineer/Operation/Town/Mahabubabad.
3. Assistant Divisional Engineer/H.T. Meters/Warangal.
4. Divisional Engineer/Operation/Mahabubabad.

Respondents

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Sri. M. Venkataiah, Assistant General Manager (MIS) of M/s. Bharat Sanchar Nigam Limited, General Manager Telecom District, BSNL Bhavan, Warangal-Dist., hereinafter called as the complainant in their complaint dated. 26.10.10 received and registered on 02-11-10, under Clause 5(7) of APERC Regulation 1 of 2004 read with Section 42(5) of Electricity Act 2003, stated the following :-

1. the CTPT (Energy Unit Meter) Service No. WGL-119 working for Telephone Exchange at Mahabubabad is not functioning from 21.07.10, 23193 units have been charged towards power consumption from July bill onwards.

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2. in the month of June the consumption 6904, excessive units have been charged during the months July, August and September 2010.
3. in this connection it is requested to take necessary action for replacement of faulty CTPT to enable their office to pay the amount as per the actual consumption.

2. As a sequel to the above complaint, the Assistant Engineer/Operation/Town/Mahabubabad, Assistant Divisional Engineer/Operation/Town/Mahabubabad, Assistant Divisional Engineer/H.T. Meters/Warangal and Divisional Engineer/Operation/Mahabubabad, were directed to file their written submissions vide notice dated. 09.11.2010.

I. The Assistant Divisional Engineer/H.T. Meters/Warangal, in his filings received on 14-12-2010, stated the following :-

- i. the CTPT set failed on 26.03.10 and service was directly supplied by Operation Wing.
- ii. the Assistant Divisional Engineer/Operation/Mahabubabad informed on 20.05.10 stating that the failed CTPT set is replaced. Subsequently he had gone to the premises of the service along with Divisional Engineer/DPE/Warangal and found that failed CTPT is not replaced. Due to heavy rain the CTPT set could not be replaced on that day i.e., 20.05.10.
- iii. on 11.06.10 the failed CTPT set is replaced and kept in service.
- iv. average consumption is furnished by Assistant Divisional Engineer/Operation/Town/Mahabubabad for the months April, May 2010 and back billing was done by DE/DPE/Warangal for the period of defective CTPT i.e., from 26.03.10 to 11.06.10.
- v. the CTPT incoming cable joint kit (at source side i.e., on tapping pole AB switch) failed on 20.07.10. The service directed and average consumption furnished for July, August and September 2010. The failed jointing kit replaced on 21.10.10 and kept the service through CTPT by Assistant Divisional Engineer/Operation/Town/Mahabubabad.
- vi. the replacement of jointing kit (for the period 20-07-10 to 21.10.10) comes under the purview of the Assistant Divisional Engineer/Operation only. Regarding replacement of CTPT set

(26.03.10 to 11.06.10) the CTPT is tested and commissioned on the very next day of the replacement of failed CTPT set by Operation Wing i.e., 11.06.10.

- vii. in the complaint of BSNL it was stated that the CTPT set is not functioning which is incorrect the reason for average billing is due to failure of cable joint kit only.

II. The Assistant Divisional Engineer/Operation/Town/Mahabubabad has submitted his report on the date of hearing to the Forum vide his letter dated. 24.12.2010, stating as follows :-

1. The S.C. No. H.T. 119 of M/s. SDE Telephone Exchange Mahabubabad every month normally reading are being taken and submitted for billing. During month of March-2010 the reading was taken on 23.03.10, which is normal.
2. But on 26.03.10, the CTPT metering set of S.C. No. 119 was failed about 19:40 hours due to heavy humming noise in the CTPT chamber and the same is informed to Divisional Engineer/Operation/Mahabubabad as well as SDE/Telephone Exchange, Mahabubabad about the failure of CTPT set.
3. As per the request of SDE Telephone Exchange, Mahabubabad, the direct supply was extended to their exchange after taking permission from the Divisional Engineer/Operation/ Mahabubabad and Superintending Engineer/Operation/ Warangal, then for the month of April-2010 and May-2010, the average consumption is arrived based on the Clause 7.5.1.4.2 of General Terms and Conditions of Power Supply (Approved by the APERC in Proceeding No.Secy/01/2006, Dated. 06.01.06) and Vide Memo. No. CGM/Expr./ GM/Rev./AO/JAO/LT/F. No. /D. No. 76/09/Dt. 25.04.09, the average consumption 23193 units which was arrived on the basis of any three consecutive billing cycles during the preceding 12 months.
4. On dated. 11.06.10 the failed CTPT was replaced with new one and charged and supply was extended through the meter at 18:30 hours and stood ok.
5. After replacement of failed CTPT set, in the month of June 2010, the reading was taken on 20.06.10, the final reading is 098821, with initial reading of 091917, the recorded consumption for period from 11.06.10 to 20.06.10, i.e., for 10 days only is 6904 units.
6. On dated 20.07.10, about after midnight (01:30 A.M.) the incoming cable jointing kit was failed and same is informed to the Divisional Engineer/Operation/Mahabubabad and Superintending Engineer/

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Operation/Warangal and requested for extension of power supply vide Lr. No. ADE/OP/M'Bad/F. No.15/D. No. 434/10/Dt. 21.07.10, then the SDE Telephone Exchange also requested to give the direct supply. On request of SDE after taking permission from Divisional Engineer / Operation/Mahabubabad and Superintending Engineer/Operation/Warangal the supply was extended directly to the SDE Telephone Exchange Mahabubabad.

7. On dated. 21.10.10, the incoming cable jointing kit and cable replaced with new one and supply extended then on 23.10.10, the normal reading is taken the consumption for the month of October 2010 is 20112 units, thereafter normally is restore and normal reading is taking.
8. In view of the above circumstances cited, the AGM/MIS/BSNL/Warangal have may not be observed the recorded units for the month of June 2010 only for ten days. The remaining period back billing was proposed by the Divisional Engineer/DPE/Warangal and hence no question of excess reading furnished.

3. The hearing was proposed and conducted on 27.12.10 in the Chamber of Chairperson/Consumer Grievances Redressal Forum/NPDCL/Warangal at 10.30 A.M. During the hearing conducted, the complainant and respondents have attended.

The remarks made by the complainant and respondents are as follows :-

Complainant :-

Sri. P. Bheemaiah (SSS/Operation) and Sri. E. Kamalakar (JTO) as follows :-

- i. Non furnishing reading for the H.T. S.C. No. WGL-119, Mahabubabad Telephone Exchange and rectification of CTPT cable and change meter status for H.T. service.

Respondents :-

The Assistant Divisional Engineer/Operation/town/Mahabubabad, Assistant Divisional Engineer/H.T. Meters/Warangal and Assistant Engineer /H.T. Meters/Warangal are as follows :-

- i. The average billing made as per the Clause 7.5.4.2, which is approved by the APERC. On the basis of any three months consecutive billing cycles during the preceding 12 months when the condition of working were not different. Based on above Clause only the average consumption were taken for S.C. No. H.T. WGL-119 of SDE Telephone Exchange Mahabubabad. The above all things were explained to BSNL person those who were attended the hearing.

The Junior Accounts Officer/H.T. Meters/Warangal and Senior Accounts Officer/Operation Circle/ Warangal as follows :-

- i. The due date for receipt of H.T. meter readings is 23rd of every month. But the readings of certain Field Engineers are being received 24th A.N. and 25th F.N., even after specific instructions issued due to which the readings could not reviewed in the billing section. Further when the meter/CTPT sets replaced, the service shall be billed under Status Number 04. Further months the service shall be billed from 04 to 01, the readings are not appeared in 11/10 C.C. bills. However the same was already pointed by him and the same was also rectified.

4. **Analysis of the Case :-**

The contention of the complainant is that the CTPT (Energy Meter) to the S.C. No. 119 is not functioning from 21.07.10 due to which the department has charged for 23193 units towards power consumption from July bill onwards. Whereas in the month of 06/2010 the consumption for their service is only 6904 units. Hence the complainant has lodged the petition in the Forum requesting to change the faulty CTPT and enable them to pay the amount as per the actual consumption.

On going through the records placed by the respondents during the hearing conducted at Forum, on examination of the records the Forum has analyzed this case as follows :-

1. The respondents have taken readings normally up to the month of 03/2010 (Reading taken on 23.03.10). But on 23.03.10 onwards the CTPT has failed and the same was replaced by the respondents on

11.06.10 duly taking into consideration of average consumption as 23193 units duly adopting the General Terms and Conditions of Power Supply Clauses 7.5.1.4.1 and 7.5.1.4.2 for the months of 04/2010 and 05/2010. the Clause says as follows :-

(Clause - 7.5.1.4.1.) :-

"The number of units to be supplied during the period in which the meter ceased to function or became defective, shall be determined by taking the average of the electricity supplied during the preceding three billing cycles to the billing cycle in which the said meter ceased to function or became defective provided that the condition with regard to use of electricity during the said three billing cycles were not different from those which prevailed during the period in which the meter ceased to function or became defective."

(Clause - 7.5.1.4.2.) :-

"If the conditions with regard to use of electricity during the periods as mentioned above were different assessment shall be made on the basis of any three months consecutive billing cycles during the preceding 12 months when the conditions of working were not different".

2. Again the reading was taken after replacement of CTPT on 20.06.10 with Final Reading 098821, IR 091917 which comes for only 6904 units only for 10 days consumption, taking of these units only the consumer might have come to a conclusion that the bill issued to their service connection by the department on high side of units for the months of 07/2010 to 09/2010.
3. Due to failure of the incoming cable jointing kit on 20.07.10 based on the request made by the complainant the respondents have taken approval of the higher officials and provided supply directly to the above service connection. Again the respondents have taken average consumption for the months of 07/10 to 09/10, the replacement of incoming jointing cable is done on 21.10.10. The back billing proposed by the Divisional Engineer/DPE for the above discrepancy period 26.03.10 to 11.06.10.

The respondents have taken abnormal time for replacement of CTPT set and replacement of incoming cable jointing kit due to which average was adopted as per the Clause 7.5.1.4.1 and 7.5.1.4.2. of General Terms and Conditions of Power Supply which is acceptable. But the respondents have failed to take immediate steps for rectifying the above aspects.

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Therefore they are directed to avoid such type of delay in future cases.

5. **ORDER :-**

The complainant is requested to clear the bill as per the bills served by the respondents for the above said period immediately.

The respondents are directed to collect the C.C. charges from the complainant as per the bills served and report compliance within 15 days duly implementing these orders to the Forum.

6. **Reasons for Delay :-**

There is a delay of about 20 days in deciding the petition. The reasons for delay are :-

- i. Non-receipt of reports from respondents.
- ii. Insufficient information filed by the complainants.

7. If the complainant is aggrieved by the order of the forum he may represent to Vidyt Ombudsman, APERC, Singareni Bhavan, IVth Floor, Red Hills, Hyderabad-500 004, within (30) days of receipt of this order as specified in clause (9) of Regulation 1 of 2004 of A.P. Electricity Regulatory Commission of A.P.

Signed on 06th day of January, 2011.

Sd/-
K. RAMESH
MEMBER (LEGAL)

Sd/-
G. RAVEENDRANATH
MEMBER (ACCOUNTS)

Sd/-
T. SADARLAL
CHAIRPERSON

Endt. No. C.P./C.G.R.F/NPDCL/WGL/C.G. No. 295/2010-1 Dt. 06.01.2011.

Copy to :-

The Superintending Engineer/Operation/NPDCL/Warangal.

The General Manager (IT)/Corporate Office/NPDCL/Warangal.

(He is requested to place the order in the Company's Website).

Sri. Dr. A. Sudharshan Reddy, President, Centre for Environmental Studies,

H. No. 2-2-421, Kishanpura, Hanamkonda, Warangal-Dist.

The Stock file.

//FORWARDED BY ORDER //

**Member (Legal)
Consumer Grievances Redressal Forum.**

