



## **TAMIL NADU ELECTRICITY OMBUDSMAN**

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### **BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI**

**Present : Thiru. A. Dharmaraj, Electricity Ombudsman**

#### **Appeal Petition No. 47 of 2015**

Tmt. M.K. Lakshmi,  
F2, Jains Anurag,  
Old No.19, Arcot Street,  
T. Nagar,  
Chennai - 600 017.

..... Appellant  
(Tmt. M.K. Lakshmi)

Vs

1) The Executive Engineer/O&M/T.Nagar,  
Chennai Electricity Distribution Circle/ Central,  
TANGEDCO,  
110/33/11 KV Valluvarkottam SS Complex,  
M.G.R.Salai, Nungambakkam,  
Chennai-600 034.

2) The Assistant Executive Engineer/O&M,  
Chennai Electricity Distribution Circle/ Central,  
TANGEDCO,  
41, Thanikachalam Road,  
T.Nagar, Chennai-17

3) The Assistant Engineer/O&M,  
Chennai Electricity Distribution Circle/ Central,  
TANGEDCO,  
41, Thanikachalam Road,  
T.Nagar, Chennai-17

. . . . Respondents  
(Thiru. K. Rajendran, AEE/O&M/T.Nagar &  
Thiru. S. Nirmalraj, AE/O&M/T.Nagar on 8.9.2015 &  
Thiru. S. Nirmalraj AE/O&M/T.Nagar on 25.9.2015)

**Date of hearing: 8.9.2015 & 25.9.2015**

**Date of Order : 15.10.2015**

The Appeal petition dt.21.5.2015 filed by Tmt. M.K. Lakshmi, T.Nagar, Chennai-17 was registered as appeal petition no.47 of 2015. The above appeal petition came up for hearing before the Electricity Ombudsman on 8-9-2015 & 25.9.2015. Upon perusing the appeal petition, counter of the Respondent and the

arguments putforth by both the parties on the hearing days, the following order is passed by the Electricity Ombudsman.

## **ORDER**

### **1. Prayer of the Appellant :**

The Appellant prayed to restore back the correct EB meter and to reassess their past current bills and to adjust the excess amount paid by them in the future dues.

### **2. Brief History of the case :**

2.1 Service connection No.222-005-122 is in the name of the Appellant and is charged under tariff IA. The sanctioned load of the service is 5 KW.

2.2 On 8.7.2014, the existing analog meter was changed and a digital meter was fixed in the service.

2.3 After changing the meter, the consumption has increased and high when compared to the previous consumption. Hence, the consumer filed a complaint before the CGRF of Chennai EDC/Central and the CGRF has issued its order on 12.11.2014.

2.4 Aggrieved over the above order of the CGRF of Chennai EDC/Central, the Appellant filed this appeal petition before the Electricity Ombudsman.

### **3. Condonation of Delay :**

3.1 The CGRF of Chennai EDC/Central has issued its order on 12.11.2014. As per regulation the Appeal Petition has to be made within 30 days. But the appellant filed her appeal petition before the Electricity Ombudsman on 21.5.2015 with a delay of 159 days.

3.2 As per regulation 8 of the Regulations for CGRF and Electricity Ombudsman, the Electricity Ombudsman may entertain an appeal after expiry of the said period of 30 days if he is satisfied that there was sufficient cause for not filing the petition within 30 days.

3.3 The Appellant informed that she could not make her appeal within the stipulated time as she has to look after her aged mother on priority who was now and then hospitalised and hence prayed for condoning the delay.

3.4 In view of the reasons stated in para 3.3, the delay in filing the appeal petition is condoned and the petition is registered as appeal petition No.47 of 2015.

**4. Contention of the Appellant :**

4.1 On 8.7.2014 their existing analog meter was changed to digital meter. Prior to changing the meter, they were assessed for a bi monthly current consumption of around 300 to 400 units only over the past period and their bimonthly current charge was within Rs.940/- This is recorded in their EB card also.

4.2 After installing the new digital meter, all of a sudden this meter recorded their current consumption as 1180 units for just one month, i.e. on 8.8.2014 and correspondingly their current bill shot up to Rs.6078/-. There is no change in their power load and on their power consumption. The only change is the new EB meter. They are residing in the same premises from March 2001 and they are using the same power load viz., lights fans, air conditioner, heater etc., for the past 14 years. They are unable to understand how their usual monthly consumption of around 200 units became 1180 units (nearly 6 times in just one month).

4.3 Thereafter their current bills continue to be inflated as under :

10/2014	-	910 units Rs.4157.50
12/2014	-	540 units Rs.2030.00 (this amount is low since we were travelling on and off)
2/2015	-	730 units Rs.3557.00
4/2015	-	890 units Rs.4654.00

4.4 The Consumer Grievance Redressal Forum(CGRF) has closed her representation by referring to some freak entry of 920 units during 8/2008 ( 7years old period) and which is also bi monthly and not a monthly consumption. It is surprising that the CGRF which is primarily a body to address consumer grievances in a fair manner has simply closed the matter by comparing monthly consumption of 1180 units with a freak bi monthly consumption of 920 units (two uneven frequencies) and that too of an age old date. In all fairness, their consumption over a larger period could have been reckoned instead of resorting to single freak entry.

**5. Contentions of Respondent furnished in the counter affidavit :**

5.1 The consumer has represented to Assistant Engineer/O&M/T. Nagar Central to check the newly fixed meter. Based on consumer representation power check was conducted by MRT wing on 30.8.2014 along with AE/O&M/T.Nagar, Central. Power check, downloading and analysing the data were done. By power check and analysing data it is found that the newly fixed meter's performance is satisfactory. Maximum load of 5.75KW was utilised by the consumer as against the sanctioned load of 5.0KW.

5.2 The old meter was changed on 8.7.2014 as it was found to be defective.

5.3 On verification of consumer ledger it is found that the consumer's maximum consumption recorded in previous year is 920 units, and hence there is no abnormal variation found in units recorded ie. 1237 units during 8/2014 after change of meter. The meter test results also confirm the same.

5.4 It is further submitted that the pattern of reading for the many years are generally same except the above said defective period.

5.5 The petitioner has made representations in this regard and the petitioner was duly explained in person and then the assessment was calculated and intimated to him.

5.6 It is submitted that the units assessed 1237 units for the assessment month of 8/2014 and the units assessed for the further assessment period were also in order and correct in respect of LT a/c No.222-005-122.

5.7 The consumer to avoid the payment of past arrears for the meter defective period that may be raised by the TANGEDCO, has been taking up the matter unnecessarily to the CGRF and this Hon'ble Ombudsman.

**6. Hearing held by the Electricity Ombudsman:**

6.1 To enable the Appellant and the Respondents to putforth their arguments in person, a hearing was scheduled on 28.8.2015. However, the above hearing was rescheduled to 8.9.2015 as prayed by the Appellant.

6.2 Tmt. M.K. Lakshmi attended the hearing conducted on 8.9.2015 and 25.9.2015 and putforth her side arguments.

6.3 Thiru. K. Rajendran, Assistant Executive Engineer/O&M/T.Nagar the Respondent-2 and Thiru. S. Nirmalraj, Assistant Engineer/O&M/T.Nagar Respondent-3 have attended the hearing on 8.9.2015 and Thiru. S. Nirmalraj Assistant Engineer/O&M/T.Nagar attended the hearing on 25.9.2015 and putforth their side arguments.

**7. Arguments putforth by the Appellant on the hearing dates :**

7.1 Tmt. M.K. Lakshmi, the Appellant herein has attended the hearing. She reiterated the contents of the appeal petition.

7.2 She informed that her past consumption per bimonthly is around 500 to 600 units only. Hence, she argued that the sudden increase in consumption after

changing the meter is abnormal. She also argued when there is no change in the load utilised in the said service connection, the increase in consumption maybe due to static meter fixed in the above service connection.

7.3 She also argued that as per the first month reading recorded in the meter after changing the meter, the consumption recorded is 1180 units. The above consumption recorded is for one month whereas her bimonthly consumption was only around 600 units only in the past. Hence, she argued that the meter was recording wrongly.

7.4 She also informed that bidirectional meter was fixed in the service connection on 8/2015 and the above meter alone is in service now..

7.5 The Appellant informed that she is not willing to opt for challenge test to check the performance of the meter which was in dispute.

## **8. Arguments putforth by the Respondent on the hearing dates :**

8.1 The Assistant Executive Engineer reiterated the contents of the counter.

8.2 He argued that power check has been conducted on the meter by MRT and the meter is found to be alright.

8.3 He also informed that MRT has down loaded the reading and analysed the readings downloaded and declared the meter as good. Hence, he argued that the static meter that was fixed in the service has functioned normally. The report of the MRT was furnished by the Respondent on 14.9.2015 in support of the above argument.

8.4 He also argued when the meter is found to be good, the recorded consumption is also to be correct only. As the Appellant is having two a/c units, the Respondent argued that the consumption recorded after changing the meter are normal only.

8.5 He argued that previously also, the service has recorded a consumption of 920 units. Hence, he contended that the consumption recorded after changing the meter is normal only.

8.6 He also argued that the previous meter in the service was defective and hence changed. The digital meter in dispute also changed and a bidirectional meter was erected in the service as the consumer has installed solar panels in her house.

## **9. Written argument of the Appellant :**

9.1 In the written arguments dt.12.9.2015, the Appellant has putforth the following arguments also.

9.2 1180 units reported for one month for July 2014 is inflated and does not correspond to the power load used by them in their home.

9.3 Even her subsequent bimonthly billing are found to be inflated and do not compare with her historic consumption of the past considering the fact that there is no change in her power load neither in her pattern of usage of the power load. You may observe from her past history that her average consumption was in the range of 300 to 400 units on bimonthly basis but after the meter change it has shot up to 600 to 1100 units for the same power load.

9.4 A variation of 10% to 20% due to meter change is logically acceptable level of increase, but in her case the variation is more than double her previously recorded power usage.

## **9. Findings of the Electricity Ombudsman**

9.1 I have heard the arguments of both Appellant and Respondents. On a careful consideration of the rival submission, I find the following as the issue :

Whether the contention of the Appellant that the consumption recorded in the static meter is inflated is correct ?

9.2 The Appellant argued that her past consumption per assessment period (bimonthly) is about 500 to 600 units only. But, the consumption recorded for July 2014 (ie) for one month alone is 1180 units. Hence, she argued that the consumption recorded after changing the meter as static is on the higher side.

9.3 She also argued that the subsequent bimonthly billings are also found to be inflated when compared to the historic consumption of the past period. She also emphasises that there is no change in load and utilisation pattern before the after change of meter on 8.7.2014. The average consumption per bimonthly period which was in the range of 300 to 400 units has shot upto 600 to 1100 units after change of meter for the same load. Hence, she argued that the CC charges collected after changing the meter have to be suitably revised and the excess amount has to be adjusted in her future bills. She also informed that she is not willing to opt for challenge test of the meter in dispute.

9.4 The Respondent argued that the existing analog meter was defective and was changed on 8.7.2014 by a static meter and the static meter was also replaced a bidirectional meter as solar panels have been installed and grid connectivity was effected in the said premises.

9.5 A power check was conducted on 30.8.2014 by MRT wing and found the meter is working alright. Further, on analysis of the down loaded details also, it was found that the Appellant has availed a maximum load of 5.72 KW as against the sanctioned load of 5.KW. As the meter was found to be working alright, the consumption recorded is the actual consumption of the consumer only. However, he argued that the consumer may opt for a challenge test if she is not convinced with the power check conducted by the MRT.

9.6 As the Respondent has stated that MRT wing of the licensee has checked the meter and analysed the download details, the relevant para of the Report of Assistant Executive Engineer/MRT is extracted below :

*“With reference to the letter cited above, the static meter of Secure make bearing SI.No.TNO TE190637 of Capacity 3 x 10-60A provided in LT SC No.A/c No.222-005-122, Tariff 1A with respect of AE/O&M/T.Nagar central section was inspected on 30.8.2014 for power check down loading and analysing the data.*

*By power check and analysing the data it has been found that the meter performances are found to be satisfactory. The KW and KVAH reading taken and entered in WMC were also found to be in order. The consumer avails the max load of 5.72 KW as against the sanctioned load of 5.0 KW and downloaded reset back ups are furnished for further action.*

Sl.No.	Date	KWH Reading	KVAH Reading	PF	KW MD	MD Reached Date
1.	30.8.2014CR	1668	1735	0.96	5.660	22.7.14 at 7.pm
2.	16.7.14	311	322	0.96	5.720	9.7.14 at 6.30pm
3.	8.7.14	0	0	-	-	-

*The inspection fees of Rs.500/- may be included in the forthcoming CC charges. The action taken in this regard may be reported to the Executive Engineer/MRT/CEDC/C*

*Sd / xxx  
Assistant Executive Engineer  
MRT/Metering /Central  
Nandanam, Chennai-35*

9.7 On a careful reading of the above report of the AEE/MRT, it is noted that the MRT by conducting power check and after analysing the down loaded details has certified that the performance of the meter is found to be satisfactory.

9.8 As the Appellant has argued, 1180 units consumption recorded during 7/2014 is very high. I have examined the downloaded details. On a careful study of the Downloaded details in respect of the period 7/2014, it is noted that the daily

consumption varies from 18.2.units per day to 54.5 units per day. The MD recorded also varies from 2.14 KW to 5.72 KW.

9.9 On an analysis of the pattern of daily consumption the following is observed.

More than 50 units	-	6 days
More than 40 but less than 50 units	-	10 days
More than 30 but less than 40 units	-	5 days
More than 20 but less than 30 units	-	8 days
less than 20 units	-	1 day

Considering the above pattern of consumption, the consumption of 1180 units for 7/2014 seems to be reasonable.

9.10 The downloaded details contained ½ an hour current reading for 20.7.2014 to 22.7.2014. On an analysis of the above , it is noted that the maximum and minimum load current and consumption recorded are as detailed below :

<u>Date</u>	<u>Maximum load current</u>	<u>Minimum Load current</u>	<u>Consumption</u>
20.7.2014	18.38 Amps	1.77 Amps	48.2
21.7.2014	20.82 Amps	1.61 Amps	43.3
22.7.2014	27.140 Amps	1.58 Amps	47.3

9.11 It is also observed that the load current was more than 10 Amps for about 14 hours per day on all the above three days. Considering the load current recorded on 20.7.2014 to 22.7.2014 and the daily consumption and maximum demand recorded during the assessment period of 7/2014, I am of the view that the consumption recorded during 7/2014 is the actual utilisation only.

9.12 Further, it is also to be noted that the same meter has recorded the following bimonthly consumption subsequently.

10/2014	-	910 units
12/2014	-	540 units
2/2015	-	730 units
4/2015	-	890 units
6/2015	-	1110 units
8/2015	-	730 units

It could be seen that the meter recorded 1180 units for a month (7/2014) has recorded only 910 units for the next bimonthly period of 10/2014 and the bimonthly consumption varied from 530 units to 1110 units per assessment period subsequently. Hence, I am of the view that the meter is recording according to the usage of the consumer in the respective assessment period.

9.13 As the MRT wing of the licensee has certified that the meter is working satisfactorily after conducting a power check and after analysing the download details and in view of the reasons discussed in paras 9.8 to 9.12, I am of the view that the meter is in good working condition only. Further, when the meter is in good condition, the consumption recorded by the meter shall also be the correct consumption only. Hence, I am unable to accept that contention of the Appellant that the consumption recorded in the above service after changing the meter as static is inflated.

## **10. Conclusion :**

10.1 As MRT wing of the licensee has certified that the meter is working satisfactory after conducting power check and analysing the downloaded details, I am of the view that the meter is alright and the consumption recorded are correct

and as per the utilisation of the respective period. Accordingly, I am unable to give any relief to the Appellant. Hence, the Appeal Petition No.47of 2015 is dismissed.

10.2 With the above findings, the A.P. No. 47 of 2015 is finally disposed of by the Electricity Ombudsman. No Costs.

**(A. Dharmaraj)**  
Electricity Ombudsman

1) Tmt. M.K. Lakshmi,  
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4) The Assistant Engineer/O&M,  
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5) The Chairman,  
(Superintending Engineer),  
Consumer Grievance Redressal Forum,  
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6) The Chairman & Managing Director,  
TANGEDCO,  
NPKR Maaligai,  
144, Anna Salai,  
Chennai – 600 002.

7) The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
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8) The Assistant Director (Computer) - **FOR HOSTING IN THE TNEO WEBSITE PLEASE**  
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