



## **TAMIL NADU ELECTRICITY OMBUDSMAN**

19- A, Rukmini Lakshmi pathy Salai, (Marshal Road), Egmore, Chennai – 600 008.

Phone : ++91-044-2841 1376 / 2841 1378/ 2841 1379 Fax : ++91-044-2841 1377

Email : [tnerc@nic.in](mailto:tnerc@nic.in)

Web site : [www.tneo.gov.in](http://www.tneo.gov.in)

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

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

#### **Appeal Petition No. 76 of 2015**

Thiru. M. Srinivasan,  
123, G.A.Road,  
Bank of India Building,  
Old Washermanpet,  
Chennai - 600 021.

. . . . . Appellant  
(Party in person)

Vs

The Superintending Engineer,  
Chennai Electricity Distribution Circle/North,  
TANGEDCO,  
5A Block, 144, Anna Salai,  
Chennai – 600 002.

. . . . . Respondent  
(Thiru. S.P.R. Elamparuthi, Executive Engineer/Tondiarpet)

**Date of hearing : 31.12.2015**

**Date of Order : 29.2.2016**

The petition dated 21.09.2015 filed by Thiru. M. Srinivasan, Chennai-21 was registered as Appeal Petition Nos. 76 of 2015. The above appeal petition came up for hearing before the Electricity Ombudsman on 31.12.2015. Upon perusing the appeal petition, counter affidavit and after hearing both sides, the following Order is passed by the Electricity Ombudsman.

## **ORDER**

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

The Appellant prayed for the following :

(i) It is kindly requested to change the new meter as it is not working properly and showing the wrong electricity consumption units.

(ii) Average electricity consumption on the old meter may be calculated which may be collected from the complainant till the new meter is tested and replaced with a good working meter.

(iii) The complainant shall be excused from paying the exorbitant amount which is due to malfunctioning of the new meter and the earlier paid excess amount of Rs.5879/- shall be adjusted for the payment and excess payment paid earlier may be returned if any.

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

2.1. Thiru. M. Srinivasan, Advocate is the tenant of SC No.011-009-1446 which is effected in the name of Thiru. P. Umasankar. Thiru. P. Umasankar has authorized Thiru. M. Srinivasan to represent his case before the Electricity Ombudsman.

2.2. The meter in the service connection No.001-009-1446 was changed on 10.3.2015. The Appellant made a complaint to the Assistant Engineer, TNEB about the increase in consumption after changing the meter. The Assistant

Engineer in his reply dt.1.7.2015 informed that the meter was examined by MRT and action will be taken on receipt of report from the MRT.

- 2.3. The Appellant filed a petition before the CGRF on the above matter on 15.6.2015. The CGRF acknowledged the petition on 24.6.2015. But the Appellant has not received any order even after a lapse of 3 months from the date of filing the petition. Hence, the Appellant filed his appeal petition before the Electricity Ombudsman on 21.9.2015.
- 2.4. As more than 50 days have passed without any reply since filing of the petition before the CGRF of Chennai EDC/North, the above petition was registered as Appeal petition No.76 of 2015 as per regulation 17(4) of the Regulations for CGRF and Electricity Ombudsman.

### **3. Contentions of the Appellant furnished in the petition:**

- 3.1. The following arguments were furnished in the Appellant's letter dt.8.6.2015 addressed to AE/TNEB.
- 3.2. It is pertinent to note that the new meter got installed on 10.3.2015, from that time onwards electricity consumption shoots up, irrespective of the fact that no new electrical equipments installed in the house before and after installation of the new meter. The electricity consumption, under the old meter reading, was 340 units for the period from 7.2.2015 to 10.3.2015, i.e. 31 days. However, the electricity consumption under the new meter was 800 units that too for 28 days, i.e. from 10.3.2015 to 7.4.2015, which can be seen from the EB card (enclosed).

3.3. The old meter was correctly showing the electricity consumption, however, the new meter is not showing the correct electricity consumption which can be established from the fact that very limited house hold electrical equipments are being used that too for a limited period of time. Based on the electricity consumption pattern for the past readings under the old meter, the reading shown by the new meter does not reflect the true electricity consumption.

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

4.1. To enable the Appellant and the Respondent to put forth their arguments in person, a hearing was held before the Electricity Ombudsman on 31.12.2015.

4.2. The Appellant Thiru. M. Srinivasan himself attended the hearing and putforth his arguments.

4.3. Thiru S.P.R. Ilamparuthi, Executive Engineer/O&M/Tondiarpet attended the hearing on behalf of the Respondent.

**5. Arguments put forth by the Appellant on the hearing date :**

5.1. Thiru. M. Srinivasan, the Appellant herein has attended the hearing and reiterated the contents of his appeal petition.

5.2. The Appellant argued that after installing a new meter on 10.3.2015, the consumption recorded in his house has shoot up to 1068 for 4/2015 assessment period and he made a written complaint to the concerned Assistant Engineer on 21.4.2015 but no reply was received from him though he has agreed to resolve the issue.

- 5.3. As the consumption for the next bimonthly was also recorded as 1140 units, he made another representation to the Assistant Engineer concerned on 8.6.2015 which was received by him on 9.6.2015. But he has sent a reply on 1.7.2015 informing that the meter was examined by MRT and action will be taken on receipt of the report from MRT. But, he has not received any further information from the Assistant Engineer/Tondiarpet.
- 5.4. He also informed that even the above reply was given to him only after filing a petition before the CGRF on 15.6.2015 on the same issue.
- 5.5. Thiru. M. Srinivasan argued that there is no change in the Appliances and the pattern of utilization in the above premises, but, the consumption recorded was very high during 4/2015 and 6/2015. However, the consumption has reduced after the inspection of MRT. Hence, argued that there may be some error in the meter which would have been corrected by the MRT.
- 5.6. Citing the subsequent consumption recorded in the said service, the Appellant argued that the consumptions recorded during the disputed period are about two time of the subsequent consumption which establishes that there was some mistake/fault in the meter.
- 5.7. The Appellant also agreed that the consumption for the assessment period 8/2015 onwards is reasonable.

**6. Arguments putforth by the Respondent on the hearing date :**

- 6.1. Thiru. S.P.R. Ilamparuthi, Executive Engineer/O&M/Tondiarpet, attended the hearing and putforth his side arguments.

- 6.2. The Executive Engineer/O&M/Tondiarpet informed that the AE/MRT has inspected the above service and downloaded the data on 29.6.2015 and informed that the MRT after examining the downloaded details certified that the meter is in good working condition. He also furnished the copy of AE/MRT's letter dt.2.7.2015 in support of his argument.
- 6.3. The EE argued that the maximum demand recorded for the assessment period in disputes are 4.1.kw on 10.3.2015 and 5.26 kw on 12.4.2015, where as the MD recorded on 29.5.2015 is 1.78 kw. Citing the above, the EE argued that the maximum demand recorded during the disputed period was high as seen from the MD recorded which establishes that there was high utilization in the said period. He also pointed out that the disputed period falls on summer months which is also a reason for the high consumption.
- 6.4. The EE Also informed that he is willing to submit the downloaded details of the meter for the current period also in support of the meter is working properly.
- 6.5. In the written submission submitted on 31.12.2015 the following has been furnished.
- (i) The LTSC No.011-009-1446 under TF IA with door No.123, GA Road, Bank of India Building,Old Washermanpet, Chennai 21, stand in the name of Thiru. P. Umashankar, owned by him and the petitioner Thiru. M. Srinivasan, is the tenant of the premises and also lawyer to the house owner who has been called for CGRF hearing on 3.7.2015.
  - (ii) The petitioner represented the CGRF vide letter dt.15.6.2015 for the above matter and the CGRF/Chennai EDC/North meeting was convened on

3.7.2015 with due intimation to the petitioner. But the petitioner has not turned up for the meeting. However, the forum has decided to intimate the petitioner to attend the next hearing.

(iii) The petitioner has filed an appeal petition vide application No.76/2015 to the TNEO on 24.11.2015 since his petition is kept pending without reply for more than 50 days as on 21.9.2015.

(iv) As the next CGRF meeting not conducted subsequently due to heavy rain and flood Thiru. M. Sirivasan, has preferred an appeal to the TNEO.

(v) The above service No.011-009-1446 under AE/O&M/Tondiarpet, in Tondiarpet division was inspected by AE/O&M/Tondiarpet and found that meter function is correct. However, as the consumer has not satisfied AE/MRT/RC has also inspected the above service and downloaded the data to analyse the meter condition on 29.6.2015 and reported that the meter is working in good condition and the same was intimated to the petitioner vide letter dt.1.7.2015 by AE/O&M/Tondiarpet.

6.6. The Respondent has furnished the downloaded details of SC No.011-009-1446 from 7.10.2015 to 4.1.2016 vide his letter dt. 13.1.2016.

## **7. Findings of the Electricity Ombudsman :**

7.1. I have heard the arguments of both Appellant and Respondent and also examined the report of MRT and the downloaded details. On a careful consideration of the rival submissions, the issues to be decided are as below :

(i) Whether the meter installed in the service of the Appellant is defective ?

- (ii) Whether the Appellant's request for refund of excess amount collected is acceptable ?

**8. Findings on the First Issue :**

- 8.1. The Appellant argued that before changing the meter in his service connection his consumption was only 320 units but after changing the meter on 10.3.2015, the consumption recorded for 4/2015 and 6/2015 assessment periods are 1068 units and 1140 units respectively. Hence, argued that the meter may be defective.
- 8.2. The Appellant citing the subsequent consumption of 520 units during 8/2015 and argued that after inspection by the MRT, the consumption recorded in the meter has come down by 50% . Hence, argued that the meter may be defective.
- 8.3. He informed that he has not added any new appliances to his service connection and has also not changed the pattern of usage. Hence, there is no change in load. As the load is same, the consumption of 1068 units and 1140 units recorded during 4/2015 and 6/2015 are high and may be due to meter fault.
- 8.4. The Respondent argued that based on the complaint of the Appellant, the AE/MRT has inspected the service connection and downloaded the details from the meter. The MRT after analyzing the downloaded details have informed that the meter is working alright. Hence, he argued that the meter is in good working condition only.
- 8.5. The EE/Tondiarpet citing the maximum demand recorded on 12.4.2015 as 5.26kw and 4.1 kw on 10.3.2015 and argued that the above demand recorded shows that the consumption is high during the above period. As the maximum

demand recorded during 29.5.2015 was reduced to 1.78kw, the EE argued that the consumption recorded has reduced subsequently. Therefore, he argued that the consumption recorded is in commensurate with the utilization of the consumer. He also pointed out that the higher consumption has been recorded during the summer months.

8.6. The Appellant is arguing that the consumption recorded during 4/2015 and 6/2015 were very high when compared to his subsequent and previous consumption recorded in the same service. He also pointed out that the consumption has come down after the MRT test and hence argued that the meter was showing higher consumption during 4/2015 and 6/2015 even though there was no change in load or the appliances connected in the service.

8.7. The licensee has furnished the downloaded details of the meter. In the Reset Back Report, the following details are available.

S. No	Date of Reset	K.W.H	Consumption (in units)	Average consumption per day (in units)	M.D in K.W.	Remarks
1.	16.3.15	128.7	129	22	4.10 on 10.3.15 at 7 p.m	meter was changed on 10.3.15
2.	16.5.15	1698	1569	26	5.26 on 12.4.15 at 12.30 a.m	
3.	16.7.15	2318.5	621	10	1.78 on 29.5.15 at 9.00 a.m	
4.	16.9.15	2743.3	425	7	1.58 on 2.8.15 at 8.30 p.m	
5.	16.11.15	3202.3	459	8	2.02 on 14.11.15 at 9.00 a.m	
6.	4.1.16	3511.9	310	6	1.76 on 8.12.15 at 7.00 a.m	

8.8. On a careful study of the table above, it is noted that the average consumption per day in the said service was 22 units upto 16.3.15 and about 26 units for the

period from 16.3.15 to 16.5.15. The maximum demand reached during the said period is also 4.1 kw and 5.26 kw respectively. However, the average consumption per day was drastically reduced to 10 units in the subsequent period and then to 7 units, 8 & 6 units wherein the maximum demand also reduced to 1.78 kw, 1.58kw, 2.02 kw & 1.76kw. On a careful comparison of the maximum demand recorded and the consumption recorded for the respective period on the above table, it is noted that, the average consumption per day was high when the maximum demand is high. The consumption for the period from 16.3.2015 to 16.5.2015 is 1569 units and the maximum demand recorded is 5.26kw. The Consumption has reduced to 621 units for the subsequent period ending on 16.7.2015 (ie) the reduction in consumption is about 60% and the maximum demand also reduced to 1.78 kw which is about 66%. From the above, it could be construed that the consumption recorded is proportionate to the load used. Further, the maximum demand denotes the maximum load reached in the said service in any half an hour duration during the said period. The maximum demand reached after 16.5.2015 is less than 2 kw mostly and 2.02 kw during 11/2015. Hence, I am of the opinion that the consumption pattern or the load utilization in the said service upto 16.5.15 is more than double of the subsequent pattern of loading.

8.9. The reset details are available for the odd month whereas the billing period for the service falls on even month.

As per the downloaded details reading as on 16.5.15 = 1698

As per the reading recorded as on 6.6.15 = 1940

⊘ Consumption for 21 days	<u>242</u> units
⊘ Average consumption per day	12 units

8.10. As per the above, the average consumption per day has come down to 12 units as on 6.6.15 itself, where as the MRT inspection was carried out in the above service only on 25.6.15. Hence, the argument of the Appellant that the reduction in consumption has taken place only after the inspection of MRT is not sustainable.

8.11. As the Respondent has argued that MRT has inspected the service and certified that the meter is in good condition the relevant paras of report of AE/MRT dt 2.7.15 and 8.1.16 are extracted below :

“Extract of letter dt. 2.7.2015:

*As per the above reference, the service connection A/c No.001-009-1446, Tariff - IA was inspected and meter was downloaded using the CMRI. The meter readings were checked.*

*On analyzing the CMRI data all the parameters such as KWH, KVAH, PF were found generally in order. Hence, the meter is working in good condition.*

*The CMRI reading details has been given below for further action at your end please.*

A/c No.011-009-1446, TF-IA/Secure/3ph 10-10-60A/TE171125

Date	KWH	KVAH
29.6.15	2184.200	2220.100
16.5.15	1698.000	1729.700
16.3.15	128.700	130.100

KW-MD	DATE	TIME
1.780	29.5.15	9.00AM
5.260	12.4.15	12.30 AM
4.100	10.3.15	07.00 PM

“Extract of letter dt.8.1.16 :

*As per the above reference, the service connection A/c No.001-009-1446, Tariff IA, Secure make, 3 phase 10-60 A, bearing SI No.TE171125 meter was downloaded in CMRI. The meter readings were checked.*

*On analyzing the CMRI data all the parameters such as KWH, KVAH, MD-KW were found generally in order. Hence, the meter is working in good condition.*

*The CMRI reading details has been given below for further action at your end.*

<i>Date</i>	<i>KWH</i>	<i>KW-MD</i>	<i>DATE</i>	<i>Time</i>
<i>4.1.16</i>	<i>35.11.90</i>	<i>1.76</i>	<i>18.12.15</i>	<i>07.00AM</i>
<i>16.11.15</i>	<i>3202.30</i>	<i>2.02</i>	<i>14.11.15</i>	<i>9.00 AM</i>
<i>16.09.15</i>	<i>2743.30</i>	<i>1.58</i>	<i>2.08.15</i>	<i>08.30 PM</i>
<i>16.07.15</i>	<i>2318.50</i>	<i>1.78</i>	<i>29.05.15</i>	<i>09.00 AM</i>
<i>16.05.15</i>	<i>1698.00</i>	<i>5.26</i>	<i>12.4.15</i>	<i>12.30 AM</i>
<i>16.03.15</i>	<i>128.70</i>	<i>4.10</i>	<i>10.03.15</i>	<i>07.00 PM</i>

- 8.12. On a careful reading of the said letters, it is noted that the MRT (Meter Relay Testing) wing of the licensee has downloaded the data and checked the reading. The MRT after analysing the downloaded data has stated that the parameter such as KWH, KVAH, MD-KW are found to be generally in order. Hence, the meter is working in good condition.
- 8.13. As the MRT wing is a special wing dealing with meters has certified that the meter is in good condition after analyzing the downloaded parameter, I am of the view that the meter is not defective.

**9. Findings on the Second Issue :**

- 9.1. The Appellant argued that the consumption recorded during 4/2015 and 6/2015 were very high compared to the consumption recorded previously and hence argued that the excess amount collected from him is to be refunded.
- 9.2. The Respondent argued that the meter installed in the said service is in good working condition. Hence, the consumer has to pay the consumption recorded in the meter. Respondent argued that there is no excess collection in the said service connection as the consumer has paid the charges for the consumption recorded in the meter which is in good condition.
- 9.3. As per my findings on the first issue, the meter installed in the service is in good working condition. Therefore, the quantity of electricity recorded by such meter shall be taken as the quantity of electricity consumed by the consumer. As the Appellant has paid the charges based on the consumption recorded in the meter which is in good condition, it is held that no excess amount is available with the licensee for refund.

**10. Conclusion :**

- 10.1. In view of my findings on the first and second issue given in para 8&9, above, the petition of the Appellant is dismissed.
- 10.2. With the above findings the AP.No.76 of 2015 is finally disposed off by the Electricity Ombudsman. No cost.

**(A. Dharmaraj)**  
Electricity Ombudsman

To

1) Thiru. M. Srinivasan,  
123, G.A.Road,  
Bank of India Building,  
Old Washermanpet,  
Chennai - 600 021.

2) The Superintending Engineer,  
Chennai Electricity Distribution Circle/North,  
TANGEDCO,  
5A Block, 144, Anna Salai,  
Chennai – 600 002.

3) The Chairman,  
(Superintending Engineer),  
Consumer Grievance Redressal Forum,  
Chennai Electricity Distribution Circle/North,  
TANGEDCO,  
5A Block, 144, Anna Salai,  
Chennai – 600 002.

4) The Chairman & Managing Director,  
TANGEDCO,  
NPKR Maaligai,  
144, Anna Salai,  
Chennai – 600 002.

5) The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
No.19A, Rukmini Lakshmi pathy Salai,  
Egmore,  
Chennai – 600 008.

6) The Assistant Director (Computer) - **FOR HOSTING IN THE TNEO WEBSITE PLEASE**  
Tamil Nadu Electricity Regulatory Commission,  
No.19-A, Rukmini Lakshmi pathy Salai,  
Egmore,  
Chennai – 600 008.