



# **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.tnerc.gov.in](http://www.tnerc.gov.in)

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

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

### **Appeal Petition No.84 of 2016**

Thiru. R.Dakshinamoorthy,  
No.16/5, North Jaganath Nagar Annex,  
1<sup>st</sup> Street, Villivakkam,  
Chennai – 600 041

..... Appellant  
(Thiru. P. Dakshinamurthy)

Vs

The Assistant Engineer/O & M, Rajaji Nagar,  
Chennai Electricity Distribution Circle North,  
TANGEDCO,  
Baba Nagar, Rajaji Nagar,  
Chennai – 600049

..... Respondent  
(Thiru. K. Jayaraj, AE/O&M/Rajaji Nagar)

**Date of hearing : 12-1-2017**

**Date of order : 15-2-2017**

The petition dated 12-10-2016 filed by Thiru R. Dakshinamoorthy, Chennai49 was registered as Appeal petition No. 84 of 2016. The above appeal petition came up for hearing before the Electricity Ombudsman on 12-1-2017. Upon perusing the appeal petition, Counter affidavit and after hearing both sides, the Electricity Ombudsman passes the following order.

### **ORDER**

**1. Prayer of the Appellant:** The Appellant prayed for the following relief

(i) Compensation for the failure of the Assistant Engineer / O & M to respond his request

(ii) Failure to replace the meter within the prescribed time even though he has reported about the defective meter.

(iii) To ascertain the correct reading of energy by the meter in his presence.

(v) Order for the refund of excess of cc charges collected through assessment in August & October 2016 and for any further period with penal interest.

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

2.1 SC No. 072-076-394, has been effected in the name of the Appellant and is charged under tariff IA. The sanctioned load of the service connection is 4 kw.

2.2 The meter in the above service connection was replaced with a Static meter on 21-7-2016.

2.3 The Appellant made a representation to the Assistant Engineer / O & M Rajaji Nagar about the erratic working of the meter and requested to arrange to recalibrate the meter and install to ensure the correctness of the meter vide his representation dt.3-8-2016.

2.4 As there was no action by the Assistant Engineer, he filed a petition dt. 17-8-2016 before the CGRF of Chennai Electricity Distribution Circle/North.

2.5 As there was no reply from the CGRF, the petitioner filed a petition before the Electricity Ombudsman. The petition was received on 14.10.2016.

2.6 As more than 50 days have passed since filing of a petition before the CGRF without any reply the above petition was registered as appeal petition No. 84 of 2016 as per regulation 17 (4) (a) of the Regulation for CGRF & Electricity Ombudsman.

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

3.1 The TNEB has replaced the old energy meter on 21.7.2016, immediately after replacement he found out that the new meter was running fast, Hence a letter was given to the Assistant Engineer / O&M Rajaji Nagar on 3-8-2016 to check and

replace the meter, But the Assistant Engineer did not take any action on his complaint and held a written response as required by rules.

3.2 Hence a complaint was sent to CGRF / Chennai North on 17.8.2016. It seems that Chairman CGRF is equally inert as like the Assistant Engineer O & M and he also failed to take any action on his complaint and remained silent and not even acknowledged his complaint even though the letter was delivered on 18.8.2016.

3.3 The assessment made in August 2016 and October 2016 reveals a heavy consumptions compared to the old meter readings from the year 2011 to 2016 beginning. It is a clear indication that the energy meter is not recording the correct consumption for a family strength of two (husband and wife)

3.4 Based on his letter and complaint the meter should have been released for test and replaced within the prescribed time limit. The TNEB has failed to do the legitimate duty and hence he is entitled to get the compensation for its failure to replace the meter.

3.5 As usual he started monitoring the usage of power everyday, to his surprise the energy reading was high everyday with little use of electric appliances. The reading recorded by the old meter from 9/6/2016 to 21/7/2016 was 236 units. The readings recorded by new meter from 21/7/2016 upto 31/7/2016 was 170 units. This clearly indicates the erratic working of the energy meter.

#### **4. Contentions of the Respondent furnished in the counter:**

4.1 The meter in Existing Domestic service connection No.072-076-394 has been replaced with static meter on 21.07.16 as per TANGEDCO norms.

4.2 The energy recorded by the static meter is highly precise and accurate. The petitioner has suspected the correct functioning of the meter and represented on 03.08.2016 to check the same.

4.3 While inspecting the above service connection on 19.09.2016, it was found that petitioner premises is equipped with all domestic appliances like fridge, TV, AC, Mixer Grinder, light, fans, etc., and also used to consume around 3.7 kw load. Hence the consumption to a tune of about 460-480 units during 08/2016 and 10/2016 is justified beyond doubt.

4.4 Based on petitioner representation, the filed inspection personally done on 19.09.2016 and the meter status and consumption were informed to the petitioner and also check reading entered in the white meter card. Hence the petitioner's contention that the Assistant Engineer has not responded to his representation is not correct.

4.5 The petitioner's contention that the consumption during 08/2016 and 10/2016 is 485 and 460 units respectively is found high is not correct. Since he has utilized the energy to a tune of 600 units during 08/2015 and has consumed load around 3.7 kw, the consumption recorded during the above period (08/2016 and 10/2016) is correct. The petitioner must know that the static meters are highly precise energy recording device and consumption recorded is only based on the energy used.

4.6 The healthiness of above meter has been checked by downloading the data by MRT wing on 08.11.2016 and found that all the parameters such as KWH, KVAH and MD KW were generally in order and meter working condition is also found good.

4.7 Based on the petitioner representation meter healthiness was checked physically and through MRT Test result. As the Meter is working in good condition,

the question of refund of CC Charges, replacement of meter, compensations for not taking action in time shall not arise.

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

5.1 To enable the Appellant and the Respondent to putforth their arguments in person, a hearing was conducted before the Electricity Ombudsman on 12.1.2016.

5.2 Thiru P. Dakshinamurthy, the Appellant herein has attended the hearing and putforth his arguments.

5.3 Thiru K. Jayaraj, Assistant Engineer / Rajaji Nagar, the Respondent herein has attended the hearing and putforth his arguments. Thiru R. Pandian, Assistant Executive Engineer/Perambur has also attended the hearing.

**6. Findings of the Electricity Ombudsman :**

6.1 The Appellant argued that the old energy meter was replaced on 21.7.2016 and after replacement of the meter the consumption recorded in the new meter is high when compared to the consumption recorded in the old meter. It is a clear indication that the meter is not recording the correct consumption for a family of two members.

6.2 The Appellant argued that the licensee has failed to release and test the meter within the prescribed time limit and hence argued that he is eligible to get compensation for not replacing the meter.

6.3 He also argued that the Assistant Engineer / Rajaji Nagar has not replied to his letter dt.3.8.2016. Therefore he prayed that compensation for failure to respond his letter may also be awarded.

6.4 The Assistant Engineer / Rajaji Nagar, informed that the existing meter was replaced with static meter on 21.7.2016 as per the norms of the TANGEDCO.

6.5 He argued that the service connection was inspected on 19.9.2016 and found that about 3.7 kw load was utilised. Therefore the consumption of about 460-480 units during 8/2016 assessment period and 10/2016 assessment period is normal only. He also cited the consumption of 600 units recorded during 8/2015 assessment period and argued that the consumption recorded during the disputed period is normal when compare to the consumption recorded during 8/2015. Citing the inspection conducted on 19.9.2016 to confirm the meter status, he argued that he has responded immediately to the petition of the Appellant and therefore, compensation for not responding to the consumer complaint does not arise.

6.6 The Assistant Engineer also informed that the healthiness of the meter was checked by downloading the data by MRT wing on 8.11.2016 and found that all the parameters such as KWH, KVAH and MD KW were generally in order and the working condition of the meter is found good.

6.7 On the hearing date, the Assistant Engineer informed that he is willing to test the meter in the presence of the consumer by connecting a test load to establish the meter is in good working condition. The Appellant agreed for the above suggestion. Accordingly it was instructed to test the meter by connecting a test load of known value.

6.8 The Appellant in his letter dt.25.1.2007 informed that the Assistant Executive Engineer/Perambur & Assistant Engineer/Rajaji Nagar visited the site on 18.1.2017 and checked the correctness of the meter by loading externally with a one KW. Heater and measured the reading with switching off the consumer load on all phases and all the measurements taken shows the meter is recording the correct load. The Appellant also informed that he is satisfied with the procedure adopted and he is

willing to waive off the compensation claim. The relevant paras of the Appellant's letter are extracted below:-

*“As decided & agreed by the ADE, AE/O&M to visit the site of the meter installation, ADE. AE visited the site on 18.1.2017 at 4.15 pm and checked the correctness of the meter by loading externally with a 1 kw/hr heater and measured the reading with the off condition of the consumer load, on all the phases and all the measurements taken shows the meter is recording the correct load.*

*I am satisfied with the procedure they have adopted also I observed that the approach of both the engineers were decent and good, hence, I feel claiming of compensation from AE/O&M is waived off and would thank ombudsman for your courtesy shown to me during my visit to your office.”*

6.9 On a careful reading of the above letter, it is noted that the Appellant has agreed that the meter is recording the load correctly and he is willing to waive off his prayer of compensation from Assistant Executive Engineer / O & M.

6.11 As the Appellant has agreed that the meter is recording correctly the consumption recorded in the meter during all the assessment period had to be considered as correct only. Therefore, there is no excess payment available for refund. Further, there is no need to change the meter also as it is recording correctly.

6.12 Further, the Appellant has also informed that the approach of both the Engineers were decent and good hence he is not insisting of the compensation claim.

6.13 In view of the findings in para 6.11 & 6.12 above, I am of the view that the issue of this petition is settled amicably. With the above observation, the AP No. 84 of 2016 is closed as settled. No Cost.

**(A. Dharmaraj)**  
Electricity Ombudsman

To

1) Thiru. R.Dakshinamoorthy,  
No.16/5, North Jaganath Nagar Annex,  
1<sup>st</sup> Street, Villivakkam,  
Chennai – 600 041.

2) The Assistant Engineer/O & M, Rajaji Nagar,  
Chennai Electricity Distribution Circle North,  
TANGEDCO,  
Baba Nagar, Rajaji Nagar,  
Chennai – 600049.

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

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

5) The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmiipathy Salai,  
Egmore,  
Chennai – 600 008.

6) The Assistant Director (Computer) – **For Hosting in the TNEO Website.**  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmiipathy Salai,  
Egmore,  
Chennai – 600 008.