

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
(Under the Electricity Act, 2003)
PUDUCHERRY

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

THIRU R. KRISHNAMURTHY, B.Com., LLB., PGDFL.,
JERC NOMINATED MEMBER

TUESDAY, THE 28th DAY OF FEBRUARY 2023

CONSUMER CASE No. 9/2023

A. Mujibur Rahman,
S/o S. Abdul Ali,
I.P.K Salai,
Third Cross, Kovilpathu,
Karaikal 609602

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Complainant

Vs.

- 1) The Executive Engineer,
Electricity Department,
Karaikal.
- 2) The Assistant Engineer -Town-II,
Electricity Department,
Karaikal.
- 3) The Junior Engineer – Town-North,
Electricity Department,
Karaikal.

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Respondents

This case in CC No.9/2023 came up before this Forum for final hearing on 22.02.2023. After hearing both sides and having stood over till this date for consideration, this Forum has delivered the following

The case of the complainant is as follows.

1. A Complaint was received from A. Mujibur Rahman during the public hearing held by this Forum at Karaikal on 19.01.2023. In the complaint, the Complainant had stated that he is residing in the above mentioned address and his policy bearing No.12195 with code 63-32-02-0123. The Complainant had requested for exemption from levying of BPSC charges and change of meter. The Complainant had also requested that the non-burning of street lights in the area to be rectified. Hence the complaint.

2. The complaint has been registered as C.C. No.09/2023 and copy of the complaint was handed over to the Executive Engineer – Karaikal for giving reply by 30.01.2023. Reply received from Respondent No.2 on 03.02.2023 and the same was communicated to the Complainant and the case was posted for hearing on 22.02.2023.

3. In the reply filed by the Second Respondent i.e. Assistant Engineer – Town II, Karaikal, on behalf of himself and for Respondent No.1, had stated that current consumption charges are not paid by the consumer for the past two years and the consumer is requesting exemption from levying of BPSC charges. As per JERC Regulation 2018, the Department is not empowered to exempt from levying of BPSC charges. The Department staff has visited the premises thrice for inspection, but it was found in door-locked condition in day time and in the evening. Notice has been issue to the consumer to keep open the premises for inspection. After inspection the energy meter may be changed if required. The street light in the entire PK Salai had been rectified and photograph of the same is submitted.

5. The hearing was held on 22.03.2023 at Karaikal. Both the Complainant and the Respondents were present. During the hearing the Complainant stated that he has not received the notice issued by the Respondent No.2. Therefore, a

copy of the notice was handed over to the Complainant and directed to give reply to the notice. The Respondents have submitted that they have tried to issue notice to the Complainant in person. But the door was always kept in locked condition. Therefore, the Respondents have affixed a copy of the notice at the conspicuous place and showed proof to the Forum from mobile phone. This Forum is also satisfied the serving of notice.

Observation: On perusal of documents and hearing both parties, it is understood that the Complainant is merely insisting to reduce the BPSC levied for the belated payment. This Forum feels that waiver of BPSC is not possible as per the provisions of Tariff Order of Hon'ble JERC and hence the same is not upheld. Further the Respondents are directed to check the meter and send a report to this Forum to that effect.

ORDER

- i. In view of the above observation the Complaint is not allowed.
- ii. The Complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF Order by the Licensee, may make an Appeal in prescribed Annexure-IV to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Road, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015; Phone 0124-4684708; email ombudsman.jercuts@gov.in within 30 days from the date of this Order under intimation to this Forum and the Respondents.
- iii. Non-compliance with the directions of Forum by the Licensee shall attract remedial action under Sections 142 and 146, of the Electricity Act 2003.

Dated at Puducherry on this the 28th day of February, 2023

Sd/-
(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-
(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-
(T. GOPALAKRISHNAN)
CHAIRMAN