

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

MONDAY, THE 27TH DAY OF DECEMBER 2021

CONSUMER CASE No.110/2021

P. Ranganathan,
No.18, Kurunji Street,
Solai Nagar,
Muthialpet,
Puducherry-605003

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Complainant

Vs.

- 1) The Executive Engineer, Urban O&M
Electricity Department,
Puducherry.
- 2) The Assistant Engineer –Town-II,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer-Rev.I,
Electricity Department,
Puducherry.
- 4) The Junior Engineer – Muthialpet,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.110/2021 came up before this Forum for final hearing on 22/12/2021. 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 N. Rajendiran during the Public Interaction Programme of this Forum held on 23/11/2021 at Muthialpet, Puducherry. In the complaint, the Complainant had stated that, his service connection bearing policy code No.06-27-04-0422/A2, monthly current consumption bills are coming on the higher side. Hence the complaint.
2. The complaint has been registered as C.C. No.110/2021 on 23/11/2021 and the copy of the complaint was handed over to the Executive Engineer, Urban and others to furnish reply by 03/12/2021. Reply from the Respondents were received on 07/12/2021 and the same was forwarded to the Complainant. The case was posted for hearing on 22/12/2021. Hearing was attended by both parties.
3. In the Affidavit dated 07/12/2021, the Assistant Engineer-Town-II / Respondent No.2 on behalf of Respondent No.1 and 3, had stated that, due to meter stuck up, average was claimed. The new meter was fixed on 21/11/2021. Based on the consumption bill revision letter was sent to Revenue section. Report from the Revenue section necessary bill correction was carried out in the bill and issued to the consumer.
4. In the Affidavit dated 02/12/2021, the Junior Accounts Officer-Rev.I /Respondent No.3 had stated that, based on MFR, the current consumption charges were revised from September 2020 to October 2021 and the total amount revised to be paid by the Complainant is 16,994/- as against Rs.80,556/-.
5. The Respondent No.3 has not filed working sheet for scrutiny. On the direction of this Forum, the Respondent No.3 furnished the working sheet and it was noted that there was some discrepancy in the working sheet. The Respondent No.3 was directed to file additional Affidavit. The Complainant stated that he could pay Rs.8,000/- per month.

6. In the additional Affidavit filed by the Respondent No.3 has stated that in the previous affidavit filed to the Forum the current consumption bill for the above policy was revised from September 2020 to October 2021 based on the MFR furnished by the Junior Engineer, Muthialpet. As per the MFR, the stuck up meter has been replaced with the new meter in August 2021 and the average meter readings for the last 3 months from August 2021 to October 2021 was arrived at 321 units per month. Based on the average consumption i.e., 321 units per month the current consumption bill for the meter stuck up period from September 2020 to July 2021 was calculated / revised and the total revised current consumption charges amount payable by the complainant as per revision upto the month of October 2021 is Rs.29866/- as against 80,556/-.

7. Observation: On scrutiny of working sheet, based on three months consumption, bill has been revised for eleven months from September 2020 to July 2021 without any rational, whereas, the number of months the meter was stuck up for a period of 42 months. The average of 917 units was claimed for the meter under stuck up period. After installation of meter in November 2021, the meter reading was taken for 3 months average of 321 units were claimed. It is inferred that the actual average after replacement may not be for 90 days. But it would be less than that duration of day as the consumption for the month of August 2021 is 156 units and for September 2021 is 330 units (200%) and for October 2021 is 480 units (300%). The actual date of replacement of meter as per MRF statement should be checked.

8. As per Regulation 7.12 of the Supply Code 2018, the defective meter should have been replaced within 3 months. Whereas the Respondent has taken more than 42 months for replacement of defective meter. Further bill has been revised for eleven months from September 2020 to July 2021 whereas the bill can be revised for a maximum of three preceding months immediately before replacement.

9. The change of meter as stated by the Respondent No.2 and Respondent No.3 in their affidavit also differs which is very serious lapse. For the above reason the working sheet is to be reworked and the bill to be revised as per Electricity Supply Code 2018.

10. Further on perusal of the billing ledger, it is seen that for the month of November 2020(i.e) for the MS period, bill was claimed for 2751 units suddenly without any logic. The Respondent No.3 had not acted diligently while filing the affidavit and the Respondent No.1 had not checked properly the Affidavits filed on his behalf by Respondent No.2 and 3. This shows that casual approach of the Respondents as it leads to the revenue loss of Department since the outstanding amount of Rs.80556/- is reduced to Rs.16,994/- and then to Rs.29,866/- without any application of mind. The Revenue staff attending the hearing, who has been authorised by the Respondent No.1, are not in a position to clarify the queries and Respondent No.1 should make it a point to attend the hearing to avoid such state of affairs.

ORDER

- i. The Respondents are directed to revise the bill for as per Regulation 7.12 of the Supply Code 2018 and the amount claimed shall be intimated to the Complainant.
- ii. The Respondents are also directed to issue instalment order to pay the outstanding amount.
- iii. The Complainant on receipt of the instalment order, is directed to remit the amount within the stipulated period.
- iv. The Complaint is allowed to the extent indicated.
- v. The Complainant is at liberty to prefer an appeal against this Order before the Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Lane, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015 within 30 days from the date of this Order under intimation to this Forum and the Respondents

vi. 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 27th day of December, 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN