

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

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

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

MONDAY, THE 11TH DAY OF JULY 2022

CONSUMER CASE No.121/2022

V. Balaraman,
No.37, Nineth cross Extension,
Rainbow Nagar,
Puducherry 605001.

Address for correspondence

No.18, First Floor,
Vincent St. Paul Street,
Colas Nagar,
Puducherry

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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-Venkata Nagar,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.121/2022 came up before this Forum for final hearing on 06/07/2022. 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 V. Balaraman on 22/06/2022. In the complaint, the Complainant had stated that he is having a Policy with code No.05-25-04-0376B/A2. The above said service connection was disconnected by the Department in April 2014. The deteriorated building was demolished. Since then, there is no usage of power. He has not approached the Department for cancellation of service. Therefore, the Complainant has prayed for necessary Orders to revise the current consumption bill and for cancellation of the service. Hence, the Complaint.
2. The complaint was registered as C.C. No.121/2022 on 22/06/2022 and notice sent to the Executive Engineer, Urban O&M and others to furnish reply by 05/07/2022. Reply from the Respondent No.2 was received on 29/06/2022 and from Respondent No.3 on 30/06/2022. A copy of the same was communicated to the Complainant. The case was posted for hearing on 06/07/2022.
3. In the Affidavit dated 29/06/2022, the Assistant Engineer-Town-II / Respondent No.2 on behalf of Respondent 1 and 4 had stated that, the site was inspected by the Junior Engineer, Venkata Nagar on 28/06/2022 and it was found that the said building at No.37, Nineth cross, Rainbow Nagar, Puducherry was totally demolished. The service connection in the above premises has neither been disconnected by the Department nor the consumer had given any request for disconnection. The status of the energy meter is not known as the same was found missing in the site. The Consumer was advised to give written request in proper format for disconnection and the same will be considered based on the field conditions. It is stated that as per the records, it is found that the service is under

‘door locked’ condition since April 2019 and the arrear amount is Rs.49,159/- upto May 2022.

4. In the Affidavit dated 30/06/2022, the Junior Accounts Officer-Rev.I / Respondent No.3 had stated that the Complainant has not approached this Department since 2014 either for cancellation of the above service nor for temporary disconnection. The above policy was in ‘Door Lock’ condition from July 2012 having an arrears and BPSC amount of Rs.7,031/- and the initial reading was 6165. The DL was released in May 2015 with final reading as 6724 and the total units consumed upto May 2015 was 559 units. Again, the meter was in Door lock condition from June 2015 upto the current month May 2022. The Complainant has not made any payment of arrears amount till date. Only BPSC and fixed charges were levied during the DL period and as such the total accrued current consumption arrears amounted to 49,159/- upto May 2022. Hence revision of current consumption charges is not feasible. The Complainant has also been addressed to apply for cancellation of the above service to the Assistant Engineer-Town-II in the proper format and necessary revision if required, will be made on receipt of the field report from the Divisional Office.

5. Hearing was held on 24/06/2022. Both the Complainant and Respondents were present. During the hearing the Complainant had admitted that he has not given any written request for disconnection with the Respondent and also stated that he did not know the whereabouts of the missing energy meter. Further he admitted that he had not made any payment against the current consumption bills issued till date.

Observation: i. On receipt of the complaint, the Respondent had stated that the meter is found missing at site and the building is totally demolished. It is seen that the recording of the meter was made in the bill for May 2015 and was on ‘DL’ continuously from the month of June 2015 to till date. Earlier the DL was recorded

from July 2012 to May 2015 for three years. No proper enquiry and reporting was made by Meter Reader/ Field staff, resulting in generating monthly bills month after month with fictitious arrears to Rs.49,159/- upto May 2022. Had the Respondent cross-checked the unserved bill at the site address, action would have been initiated for proper disconnection and collection of arrears under Revenue Recovery Act, for the arrears amount of Rs.7,031/- accrued till July 2015. The Complainant had also not lodged complaint with the Police Department for the missing meter which is Department property. The Respondent had been negligent on the above matter till the Complaint was received. Proper check should be evolved for all unserved bills and follow up action be initiated. In view of the above, the missing service connection is deemed to be disconnected in July 2015 and cancellation to have taken place by December 2015. The Respondent is to revise the bill accordingly.

ii. As per Regulation 6.16 of the Supply Code 2018, "The consumer shall be responsible for safe custody of the meter MCB / CB etc., of the same installed within the consumer premises. The Complainant had also failed in not notifying / requesting the Department for cancellation of service connection on some personal setbacks. Whereas he had obtained prior approval of the Pondicherry Planning Authority for demolition of the existing structure without applying for cancellation of the existing service connection No.05-24-04-0376/A2. Hence, the cost of the missing meter is to be collected from the Complainant.

ORDER

i. The Respondents are directed to revise the bill upto December 2015 and communicate to the Complainant for payment. The Respondents are also directed to collect the charges for the missing energy meter as per the provisions of the Supply Code 2018. The Respondents are directed to process for cancellation after receipt of request in prescribed format and collect charges as prescribed in Supply Code 2018.

- ii. The Complainant is directed to submit written request in the prescribed format for cancelling service connection and pay the charges as advised by the Respondents.
- iii. Thus, the complaint is allowed.
- iv. 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.
- v. 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 11th day of July, 2022

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN