

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

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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

WEDNESDAY, THE 27<sup>TH</sup> DAY OF SEPTEMBER 2023

**CONSUMER CASE No. 122/2023**

M/s Usha Polymer Industries  
Represented by: Desikan,  
RS.No.4/4 Gothi Industrial Estate,  
Vazhudavur Road,  
Kurumbapet,  
Puducherry- 605009.

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Complainant

Vs.

- 1) The Executive Engineer-Rural(North),  
Electricity Department,  
Puducherry.
- 2) The Assistant Engineer –Kurumbapet,  
Electricity Department,  
Puducherry.
- 3) The Junior Accounts Officer-Rev.II,  
Electricity Department,  
Puducherry.
- 4) The Junior Engineer- Muthirapalayam,  
Electricity Department,  
Puducherry.
- 5) The Assistant Engineer-LTM,  
Electricity Department,  
Puducherry.

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Respondents

This case in C.C. No.122/2023 came up before this Forum for final hearing on 26/09/2023. 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.

A Complaint was received from M/s Usha Polymer Industries represented by Thiru Desikan on 10/08/2023. In the complaint, the Complainant had stated that there is no business activity for the last one year and they have paid minimum charges all along. The meter is not working since December 2022. Further meter reading are not entered in the system and bill shown with a reading of 12,013 from September 2022. In spite of regular follow-up with the Assistant Engineer, Kurumbapet, the issue could not be solved. Therefore, the Complainant prayed this Forum to issue necessary directions to the Respondents to issue bill with updated reading as per the present metering at the earliest. Hence the complaint.

2. The complaint has been registered as C.C. No.122/2023 on 10/08/2023 and copy of the complaint was sent to the Executive Engineer –Rural (North) and others for giving reply by 21/08/2023. The Respondent No.3 sought for extension of time till 25/08/2023. Reply from the Respondent were received on 25/08/2023. A copy of the same was communicated to the Complainant. The case was posted for hearing on 31/08/2023.

3. In the Affidavit dated 25/08/2023, the Assistant Engineer, Kurumbapet/ Respondent No.2 for himself and on behalf of Respondent No.1 and 4 has stated that one LTCT operated industrial service connection was effected on 20/09/2018 with the L&T make CT Meter with the initial reading as 12011.59 KWH and MR as R X 20. A copy of the test report is submitted. The LTM section inspected the premises on 16/09/2019 and at that time of inspection, LT CT operated smart energy meter

(S.No.37001306, Make DFE) is existing in the metering arrangement of M/s Usha Polymer Industries-26-18-02-0235CB/C1) with the check reading as 0.333KWH. Copy of LTM inspection report is submitted. The L&T Meter is replaced in between the date of service connection and LTM inspection. Hence, the consumer statement of meter replaced during the month of December 2022 is false. The changing of smart meter is done by the Assistant Engineer/LTM along with the smart meter project. Copy of MRF details and performance and downloaded data of smart meter is requested from LTM section and the same is awaited. Copy of request letter is submitted.

4. In the Affidavit dated 24/08/2023 the Junior Accounts Officer Rev-II / Respondent No.3 had stated that the ledger statement in respect of the said LT commercial electrical service for the period from January 2022 to May 2023 is submitted. As per the Ledger statement, the said electrical service was under 'Door Lock;(DL04) and initial reading was 12013 in the billing month of May 2023. As per system present view, the consumer has paid the current consumption charges in respect of the LT industrial service and the balance amount due is Nil. No meter Fixed and Released (MFR) statement in respect of the said electrical service was received by the Revenue-II Section from the concerned O&M.

5. The Forum feels that the CT meter has been changed into Smart meter, the Assistant Engineer, LTM was summoned for hearing to furnish Affidavit in this Case for consideration. The Assistant Engineer, LTM was directed to furnish additional Affidavit by 07/09/2023.

6. In the Affidavit dated 06/09/2023, the Assistant Engineer, LTM / Respondent No.5 stated that as per the available records, the reported LTCT service bearing policy No.26-18-02-0235 CB/C1 in the name of M/s Usha Polymer Industries, had been effected by Muthirapalayam O&M on 20/07/2018. After effecting the new service the Junior Engineer, Muthirapalayam had requested to the Assistant

Engineer, LTM on 21/06/2019 to conduct performance test on the meter fixed in the above service vide letter dated 21/06/2019. In the meantime, the old L&T make LTCT meter with S.No.10410613 provided in the service had been replaced with a smart meter with S.No.37001306, DFE make under CSS scheme of smart grid project on 25/02/2019. The details of meter released and fixed statement as received from the Muthirapalayam O&M is submitted. Based on the above request letter the performance test was conducted by LTM wing on 16/09/2019 on the newly fixed smart meter and the test results are within the permissible limit. The service connection was inspected on 01/09/2023 along with the staff of smart grid control centre. Performance test could not be carried out on the meter due to non-availability of load in the above industry. Data was downloaded by the staff on the smart grid control centre and the one year billing data obtained from the downloaded data is submitted. Reading at the time of inspection is 3.689KWH.

7. Hearing was held on 31/08/2023. The Complainant was represented by her husband Desikan and the Respondents were present. During the hearing the Respondent No.3 was directed to update the meter reading in the bill as per the smart meter reading and furnish the same to the consumer at the earliest. The Respondent stated that since the Factory is not running, the key to the metering room has to be obtained from the office. Hence, the updation of the reading could not be done as a probable cause for not updating the reading.

8. Next hearing was held on 26/09/2023. Both the Complainant and the Respondents attended. The Complainant just reiterated that the monthly bill should reflect correct reading. The Respondent No.2 stated that the Assistant Engineer /LTM is to send MFR statement to Accounts section for updating. This statement was not accepted and this Forum made it clear that the jurisdictional Engineer / Respondent No.2 and Respondent No.3 cannot pass on their responsibilities. The Resondent No.2 and 3 are responsible to sort out

complaints in a time bound manner and cannot absolve their responsibility. The Respondent No.2 accepted to follow up with Respondent No.5 and ensure MFR statement reaches Respondent No.4 in two days and Respondent No.4 is directed to revise the working sheet with updated reading within 2 working days.

Observation: i. It is surprising to see, the service was effected by the concerned O&M without carrying out performance based on the section meter. Later sent a request to Assistant Engineer, LTM to check the connection belatedly. However, in due course of time as all the CT meter had been provided with the smart meter under CSS scheme. Further, due to communication failure from the control Centre to the Server, updation of monthly bill with latest reading was not entered which is highly regretted. Issue of correct bill every month with reading taken regularly from the consumer premises or from the control system of the smart meter system is must. In this case, for more than 18 months bills issued with old reading without any proper check were issued, as it was reported that Meter Fixing and Release statement was not sent by the Respondent No.5. But even after representation from the Complainant, the issue was not sorted out by intervention at appropriate level and the Complainant had to seek the Orders from this Forum. Incorrect issue of bill reading and bill amount is to be sorted out within 15 days from the date of complaint and in case of failure, the Complainant is liable to be paid compensation as per Standard of Performance. But the Complainant had not requested such Compensation in his Complaint.

ii. It is reported by the Respondent No.2 and 3 during hearing that the meter is in a room which is always locked. The Meter Reader is not in a position to take reading. The Complainant had also informed that the room is in a locked condition and keys will be available in Office. To sort out the things, the Complainant should make necessary arrangements so that the meter is accessible to the Department staff.

ORDER

- i. The Respondents are directed to issue monthly bill with updated reading as per the present smart meter to the Complainant in the next billing cycle from the date of this Order and a compliance report shall be sent to this Forum within 7 days afterwards.
- ii. The Respondent No.3 is directed to revise the working sheet and furnish to this Forum by 29/09/2023 and to the Complainant.
- 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](mailto: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 27<sup>th</sup> day of September, 2023

**Sd/-**  
**(R. KRISHNAMURTHY)**  
**JERC NOMINATED MEMBER**

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

**Sd/-**  
**(T. GOPALAKRISHNAN)**  
**CHAIRMAN**