

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

TUESDAY, THE 2ND DAY OF AUGUST 2022

CONSUMER CASE No.133/2022

B. Nandhini, Proprietor,
Chellam Oil Industries,
R.S.No.34/8-B,
Molapakkam Road,
Madukarai,
Puducherry-605105.

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Complainant

Vs.

- 1) The Executive Engineer, Rural-South,
Electricity Department,
Puducherry
- 2) The Assistant Engineer – Eripakkam, O&M,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer – Rev.III
Electricity Department,
Puducherry.
- 4) The Junior Engineer-Kariamannickam,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.133/2022 came up before this Forum for final hearing on 27/07/2022. 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 B. Nandhini, Proprietor, Chellam Oil Industries on 11/07/2022. In the complaint, the Complainant had stated that service connection bearing policy code No.49-78-06-0526B with Policy No.142631/A1 and policy code No.49-78-06-0526A with Policy No.142930/C was merged vide Memorandum dated 11/09/2017 and the same was given to her on 25/09/2017 by Kariamannickam O&M staff. They have also removed the meter of the policy code No. 49-78-06-0526B after connecting the lighting service to service code No.49-78-06-0526A. After that, she has received bill for September 2017 for Rs.1,791/- paid on 24/10/2017 and for the month of October 2017 on 27/11/2017. But the bill for the policy code 49-78-06-0526B was received by her eventhough the meter was removed. In this regard, she has reported several times to the Kariamannickam O&M and Eripakkam O&M to stop the bill. Copy of the recent bill received for the Policy code 49-78-06-0526B for the month of May 2022 is with the accumulated arrears of Rs.31,135/- for the 'Merged service'. She had also addressed to the Executive Engineer, Rural (South) on 23/04/2018 and to the Assistant Engineer, Eripakkam on 18/09/2018, 22/05/2019, 24/07/2019 to stop the bill. But no response from the above Offices. Due to COVID-19 she was not able to go to any office on the above matter. Therefore, the Complainant has prayed for passing necessary directions to the Respondents to stop bill for which the meter was already removed. Hence, the Complaint.
2. The complaint was registered as C.C. No.133/2022 on 11/07/2022 and notice for giving reply sent to the Executive Engineer, Rural (South) and others to furnish reply by 22/07/2022. Reply from the Junior Accounts Officer-Rev-III/ Respondent No.3 was received on 22/07/2022 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 27/07/2022.
3. In the Affidavit, the Junior Accounts Officer-Rev.III/ Respondent No.2 had stated that, the applicant has two service connection. Out of the two, one is industrial service No.49-78-06-

0526A and another is commercial service 49-78-06-0526B standing in the name of B. Nandhini. As per the Order of JERC, the commercial service connection 49-78-06-0526B had been merged with the service No.49-78-06-0526A vide Memorandum dated 11/09/2017. The current consumption bill in respect of A1 service connection is not yet cancelled and merged connected load ($75 + 3.33 = 78.33$ HP) is also not updated to the industrial policy No.49-78-06-0526A in the computer data base by the Revenue section. The fact has been intimated to the Executive Engineer, Rural (South) for approval to cancel the A1 service No.49-78-06-0526B and uploading of the connected load as 78.33 HP in respect of policy code No.49-78-06-0526A on 18/07/2022. As approved by the Executive Engineer (Rural-South) the policy No.142931/A1 has been deleted and the connected load of commercial service has been merged with Policy No.142930/C (No.49-78-06-0526A) on 19/07/2022. The total connected load of the industrial service connection is 78.33 HP after merger of A1 service. The same has been intimated to the applicant vide letter dated 19/07/2022.

4. Hearing was held on 27/07/2022. The Complainant has authorised Thiru S. Bhaskaran to appear for the hearing. The Respondent No.3 and No.4 were present.

Observation: During the hearing, it is seen that the commercial service and Industrial service had been merged together based on the communication of the Executive Engineer(Rural-South) (vide Memorandum No.1331/ED/EE-R(S)/Tech/F.33(Merger)/2017-18 dated 11/09/2017)in the year 2017 itself. Due to merger of service on the initiation of the Department, the meter was removed by the Respondent No.4 in 2017. But the bill was kept generated month on month basis till May 2022 with the fictious arrears getting accumulated to Rs.31,135/- in spite of the Respondent No.1's instruction to stop bill in September 2017. The Affidavit of the Respondent No.3 is surprising, to send a notice to the Consumer that the Fixed Charges / Surcharges for the period from April 2021 and the commercial service connection was cancelled on 19/07/2022, which is not proper to the orders issued by her immediate Officer and it is unrelated to the prayer of the Complainant. The Respondent No.3 had not applied her mind while issuing notice

to the Complainant for no fault of her and acted in a high handed manner which is highly regretted. The Revenue Section had not acted on this issue from October 2017 to till date for more than 5 years and kept the Complainant to run from pillar to post in spite of her several written reminder. Further, the hearing was not attended by the Executive Engineer, Rural-South / Respondent No.1 who is also not aware of the crux of the complaint and had accorded approval to the notice of the Respondent No.3. The Respondent No.3 is directed to withdraw the notice issued to the Complainant and stop generating of bills immediately.

ORDER

- i. As directed above, the Respondents are directed to withdraw the notice dated 19/07/2022 issued to the Complainant on 19/07/2022 and also stop generating of bills for the service which is not in existence.
- ii. A Compliance report should be sent to this Forum within 15 days from the date of this Order.
- 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 2nd day of August, 2022

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN