

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 22nd DAY OF MARCH 2022

CONSUMER CASE No.14/2022

K. Suryaprakash,
Director, Schlau Career Enhancement Pvt. Ltd.,
No.30, Vallalar Salai,
Kamarajar 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 Town – Venkata Nagar,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.14/2022 came up before this Forum for final hearing on 11/03/2022. 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 through email from K. Surya Prakash on 14/02/2022. In the complaint, the Complainant had stated that they are running a coaching institute having policy No.31615 with policy code No.05-23-01-0040AA in the name of Amalorpava Marie Victoria. He has received a demand from the Department and the details are furnished below:

Month and year	Units as per demand
August 2021	12914
September 2021	1730
October 2021	1620
November 2021	1800
December 2021	1330

It is seen that upto 1800 units every month is consumed from April 2021 during normal days. During lock down periods the Education institutions were closed. Suddenly in August 2021 he got a bill for 12914 units and demand for Rs.94,104/- The Department also deducted Rs.20,961/- and finalized Rs.73,143/- as the demand. Normally, the consumption will be nil in the lock down period. Whereas the Department has raised demand for about 2,500 units per month which is high and abnormal. The Department is taking steps to disconnect the service and could not pay huge amount as they are suffering financially lot. The Complainant has prayed to issue correct bill based on the consumption. Hence, the Complaint.

2. The complaint was registered as C.C. No.14/2022 on 15/02/2022 and the notice sent to the Executive Engineer, Urban and others to furnish reply by 25.02.2022. Reply from the Respondents was received on 24/02/2022. The case was posted for hearing on 11/03/2022.

3. In the Affidavit dated 23/02/2022, the Junior Accounts Officer-Rev.I/ Respondent No.3 had stated that, the service connection was under 'door-lock' with effect from January 2021. The 'door-lock' was released in the bill in August 2021 after seven months. The final reading in the bill of December was 98662. The final reading recorded in the bill of August was 11576 (Reset). Therefore, the consumption

for eight months from January 2021 to August 2021 was 12914 units (11576 -98662 =12914). The charges payable upto August 2021 after adjusting the door-lock average amount is 73,143/-. The consumer has cleared the arrears and current consumption charges payable upto December 2020. No payment has been received towards arrears and current consumption charges from January 2021 to till date.

4. As per the existing billing software, the current consumption charges for the first three months would be claimed for “door-lock average” and for the remaining months for “zero-units”. The Door-Lock average of this service connection is 1223 units. Accordingly, the current consumption charges has been levied on the basis of “door-lock average” for the bills from January 2021 to March 2021 and for zero units equivalent to minimum charges for the bills from April 2021 to July 2021.

5. It is further stated that, due to outbreak of the second wave of COVID-19, the task of recording meter reading was suspended for the bills for April 2021 to May 2021. Hence, the current consumption charges for April 2021 and May 2021 was levied on the basis of ‘door-lock average’ for all the consumers. The task resumed from the current consumption bill of June 2021. In this case, the service connection was under ‘door-lock’ condition with effect from January 2021 i.e., prior to the suspension of the task of Meter Reading for the bill of April 2021 and May 2021. The current consumption bill amount payable for the policy for January 2022 is Rs.1,54,666/-

6. In the Affidavit dated 22/02/2022, the Assistant Engineer-Town-II/ Respondent No.2 on behalf of Respondent No.1 and 4 had stated that, the three phase commercial service existing in the house at No.30, Vallalar Salai, Kamarajar Nagar, Puducherry in the name of Tmt. Amalorpava Marie Victoria. The consumer has informed that the Education Institute was closed during COVID-19 period and the bill was issued during August 2021 taking into consideration Door-Lock for 7

months and the bill has been issued for Rs.94,104/- and the same has been corrected on the basis of consumer request at the Revenue Section and the amount has been arrived as Rs.73,143/- for the month of August 2021 for the total consumption of 8 months. Reset of energy meter also happened and correct consumption have been arrived. On inspection, it is found that the energy meter is working properly and the consumer has been advised to make payment for the current consumption. The Consumer's premises was inspected by the Junior Engineer, Venkata Nagar O&M on 17/02/2022 and the meter details are furnished below:

Make	Landis +gyr	Capacity	3 phase 10-60 Amps
Sl.No.	7033890	Reading	19457

7. The case was heard on 11/03/2022. The Complainant and the Respondents attended the hearing. During the hearing the Respondent No.2 was directed to release the meter and sent to lab and finalize the meter healthiness and download monthly consumption. The Respondent No.3 was also directed to furnish whether the present load are as per the sanctioned load. The Respondent No.3 has been directed to furnish a detailed working sheet for the month of August 2021 manually and cross check with the computerized bill as released by the software. The Complainant has been directed to pay Rs.50,000/- and produce copy of the receipt. Initially, the Complainant had agreed for the same, but subsequently sought for time upto May 2021 as he had other statutory obligations.

8. In the additional Affidavit date 18/03/2022, the Junior Accounts Officer-Rev-I / Respondent No.3 stated that the Policy code bearing No.05-23-01-0040AA/A1 exists in the name of Amalorpava Marie Victoria, was under 'door-lock' in the bill from January 2021. The door lock was released in the bill for August 2021 after seven months. The consumption recorded for eight months (from January 2021 to August 2021) was 12914 units (11576 – 98662 = 12914 units). The consumption of

12914 units has been divided for eight months ($12914 / 8 = 1614.25$ units) and current consumption charges has been calculated accordingly.

9. Due to the outbreak of the second wave of COVID-19, the task of recording meter reading in the bill was suspended for the month of April and May 2021. No BPSC was levied for non-payment of current consumption bills during April 2021 and May 2021. After re-calculation, the amount payable upto January 2022 is Rs.1,58, 728/-. The consumer has cleared the arrears and current consumption charges payable upto July 2021 only and no payment has been received towards the current consumption charges and arrears from August 2021 to till date. The total current consumption charges with arrears payable upto February 2022 is Rs.1,76,625/-

10. In the Additional Affidavit dated 16/03/2022, the Assistant Engineer-Town-II / Respondent No.2 has stated that, to download the billing history of the energy meter installed in the house of Amalorpava Marie Vicoria the same has been obtained from the Assistant Engineer/ LTM for the energy meter and copy enclosed. It is found that the consumption pattern is in alignment with that extract from ledger. The Junior Engineer, Venkata Nagar O&M has conducted a detailed study and ensured that power supply is not found extended to any premises apart from the said premises. It is also submitted that the computer statement shows 6 digits whereas in the meter display it is 5 digits, hence sixth digit is common and may be deleted.

Observation: It has been stated that arrears at the end of February 2022 is Rs.1,76,625/-. Had the consumer paid the amount in protest, the arrears would have not mounted to such an alarming figure. The Complainant is directed in future to clear the bills promptly and raise dispute if any, and raise the issue of excess billing. Any excess or short fall shall be adjusted subsequently while dispensing the complaint. The request of the Complainant to grant more time to pay Rs.50,000/- as

he has other statutory obligations to fulfil shows that he gives least priority for the payment of current consumption charges.

ORDER

- i. The Complainant is directed to remit the outstanding amount of Rs.1,76,625/- as on February 2022 within 15 days. In case of any instalment request, the Complainant may approach the Junior Accounts Officer-Revenue-I for issue of instalment order.
- ii. The Junior Accounts Officer-Rev.I may permit to pay the outstanding amount along with the monthly dues in four instalment and issue instalment Order and a copy of the same shall be communicated to this Forum.
- iii. The Complainant is directed to remit the amount as per the instalment order and clear the dues without any lapse, failing which the Department shall initiate action as per the provisions of Supply Code 2018.
- iv. The Complaint is not allowed.
- 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

Dated at Puducherry on this the 22nd day of March, 2022

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN