

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 3RD DAY OF JANUARY 2023

CONSUMER CASE No.186/2022

M. Aribunisa W/o
Mohammed Farook,
No.156, Krishna Nagar,
Sithalampattu,
Thirukkanur,
Puducherry – 605501.

Vs.

- 1) The Executive Engineer, Rural (North)O&M,
Electricity Department,
Puducherry
- 2) The Assistant Engineer –Boomianpet, O&M,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer-Rev-II,
Electricity Department,
Puducherry.
- 4) The Junior Engineer-Villianur,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.186/2022 came up before this Forum for final hearing on 23/12/2022. 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 M. Aribunisa W/o Mohammed Farook on 30/11/2022. In the complaint, the Complainant had stated that she has given a letter to the Assistant Engineer, Boomianpet for cancellation of service bearing policy code No.32-87-02-0142/A2 on 18/08/2022 along with relevant documents and copy of last bill received for the month of May 2022 for an amount of Rs.46,989/- with the final metre reading as MS in the name of the seller of the property Thiru Sohanlal Bhariya. But so far no action was taken by the Department. Therefore, the Complainant prayed this Forum to issue necessary directions to the Respondents for cancellation of the service, and she is ready to pay the charges, the correct amount leviable. Hence, the Complaint.

2. The complaint was registered as C.C. No.186/2022 on 30/11/2022 and copy of the complaint was sent to the Executive Engineer, Rural-North O&M and others to furnish reply by 12/12/2022. The Assistant Engineer, Boomianpet / Respondent No.2 sought for extension of time till 16/12/2022 to file reply. Reply received from the Respondent No.2 on 16/12/2022. A copy of the same was communicated to the Complainant. The case was posted for hearing on 23/12/2022.

3. In the Affidavit dated 16/12/2022, the Assistant Engineer, Boomianpet/ Respondent No.2 for himself and on behalf of Respondent No.1 and 4 had stated that, a letter has been received from the Complainant on 18/08/2022 requesting to reduce the current consumption charges bill amount in respect of the service connection bearing policy code No.32-87-02-0142 standing in the name of Thiru Sohanlal Bhariya at Nehru Street, Vasantha Nagar, Villianur, Puducherry since huge amount of Rs.1,100/- was claimed for every month and the said service connection is not in use and the plot is vacant and covered with thorny plants. Whereas the Complainant reported that he has given a letter dated 18/08/2022 to the Assistant Engineer, Boomianpet and requested to disconnect the service connection above. Since no action has been taken on the letter, the case was filed. It seems to be contrary. The service connection is existing in

the name of Thiru Sohanlal Bhariya still now and the Complainant purchased the plot in the year 2004. Neither request for disconnection / cancellation of service nor complaint about theft of meter / excess claim of current consumption bill amount received from the Complainant since then. The letter dated 18/08/2022 has been forwarded to the Junior Engineer, Villianur for field report on 20/08/2022. The Junior Engineer, Villianur has reported that the site was inspected and noticed that the site is a vacant plot surrounded by the compound provided with gate lockout condition and the plot is covered with thorny vegetation. The meter and meter board are removed leaving the service pipe and service wires without power supply and the site is in inaccessible condition. The Junior Engineer, Villianur also reported that the disconnection report for the disconnection of service connection as requested by the Complainant shall not be given due to the non-availability of meter in the premises. On perusal of the ledger copy obtained from the Revenue section it is observed that the reading is standstill at 9396 since the month of September 2016 and minimum charges is claimed under no use condition upto November 2018 and MS average is claimed from December 2018 to till date. The Junior Accounts Officer- Rev.II was requested to revise the current consumption bill for the service connection under no use condition from December 2018 to till date vide letter dated 15/12/2022.

4. In the Affidavit dated 16/12/2022, the Junior Accounts Officer Rev-II / Respondent No.3 had stated that the Assistant Engineer has furnished field report vide letter dated 15/12/2022 and stated therein that the site is a vacant plot surrounded by compound wall provided with gate lockout condition and the plot is covered with thorny vegetation. The meter and meter board was removed leaving the service pipe and service wire without power supply and the site is in inaccessible condition. The Assistant Engineer, Boomianpet further stated therein that on perusal of the ledger copy, it was observed that the reading is standstill at 9396 in the month of September 2016 and minimum charge was claimed under 'No Use condition' upto November 2018

and MS average was claimed from December 2018 to till date. The Assistant Engineer has therefore, requested therein to revise the current consumption bill of the service under 'No Use condition' from December 2018 to till date. Based on the field report, the current consumption bill in respect of the said service connection has been revised under 'No Use Condition' from December 2018 to till date claiming minimum charges and a revised bill statement was furnished. As per the revised calculation statement, an amount of Rs.3,536/- inclusive of BPSC is due to be paid by the Complainant towards arrears of current consumption charges of the said service.

5. Hearing was held on 23/12/2022. Both the Complainant and Respondents were present. During the hearing, the Respondents have stated that the policy file was not traceable and copy of bill ledger is available. But on perusal of the details of bill revision filed by the Respondent No.3, an amount of Rs.40/- was charged as Fixed Surcharge for the connection disconnected without any connected load. Therefore, the Respondents were directed to file additional Affidavit before this Forum within a week, after revising the statement along with Meter charges, Cancellation charges. The Complainant also agreed to pay the amount to be claimed as per the revised statement. The Ledger Clerk, Revenue-II section has also filed non-traceable report with reference to the policy No.114404/A2.

6. As directed by this Forum, the Respondent No.3 has filed additional Affidavit with revised statement for a sum of Rs.3219/- payable towards the arrears inclusive of BPSC for the period upto October 2022. In spite of the directions of this Forum, the Respondent No.3 has not informed the cancellation charges and meter replacement charges. It is not known whether the Respondents No.2 and 4 have sent necessary estimates indicating the cost of meter and cancellation charges to the Respondent No.3. This shows the lethargic attitude and negligence of duty which is highly condemned by this Forum.

7.Observation: The property was purchased in the year 2004, but the Complainant did not apply for the name transfer of the service connection. Last paid receipt for the month of July 2018 is enclosed for an amount of Rs.1,750/-. Thereafter the arrears had arisen as average units was claimed and arrears accumulated. The service was disconnected in the aerial board but the exact date of disconnection was not known. Further the meter is also reported to have been stolen by some miscreants and no police complaint lodged by the Complainant. The plot was used for raising nursery saplings and then used as scrap godown. Since no one resided there, the Complainant paid the bill amount at the counter and failed to clear the dues subsequently. Had the Complainant taken steps to cancel the service connection after clearing the dues, the amount would not have accumulated. As such levying of BPSC by the Respondent is justifiable.

ORDER

- i. The Respondents are directed to revise the statement by including the cancellation charges and meter replacement charges within 3 days from the date of receipt of this Order and communicate the same to the Complainant.
- ii. The Complainant is directed to pay the amount as demanded by the Department within 7 days from the date of receipt of communication.
- iii. On receipt of the entire amount due from the Complainant, the Respondents are directed to cancel the policy immediately and delete the data from the billing records in order to avoid issue of current consumption bills in future.
- iv. Thus, the complaint is allowed.
- v. 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.

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 3rd day of January, 2023

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN