

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

PRESENT:

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

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

FRIDAY, THE 10th DAY OF JULY, 2020

CONSUMER CASE No.28/2020

P. Ravi,
No.17, Muthiyakoundar Street,
Kalitheerthalkuppam,
Madagadipet Post,
Puducherry - 605107

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Complainant

Vs.

- 1) The Executive Engineer- Rural (South), O & M,
Electricity Department,
Puducherry.
- 2) The Assistant Engineer – Thirubuvanai,
Electricity Department,
Puducherry.
- 3) The Junior Engineer, Thiruvandarkoil,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.28/2020 came up before this Forum for hearing on 03.07.2020. 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. Thiru P. Ravi has filed a complaint before this Forum on 16/06/2020. The Complainant had alleged that he had given an application for new / additional service connection on 06/04/2020. But the service connection is yet to be effected. Whenever he went to the Assistant Engineer's Office he was informed that the Assistant Engineer was not in Office due to field visit / meeting or some other reasons. The Application is still in Assistant Engineer's Office and not even forwarded to the Junior Engineer, Thiruvandarkoil. The Complainant had requested to give directions to the Department for effecting service connection on priority. Hence, the complaint.

2. The complaint has been registered as C.C. No.28/2020 and notices have been sent to the Respondents to reply on or before 26/06/2020. The Respondent have given reply on 25/06/2020. The case was posted for hearing on 03/07/2020.

3. The Respondents in their reply have informed that the Complainant had enclosed only a copy of Aadhar Card and not any ownership documents. Further the Assistant Engineer informed that the application was given only on 08/06/2020 and not on 06/04/2020 and the application is without valid documents. Since the location is nearer to the encroachments cleared by the National Highways in September 2019, a letter has been sent to the National Highways Division for clearance on 17/06/2020

4. The Complainant was represented by his brother P. Prakash on authorization. During the hearing the Complainant was asked whether he has enclosed the ownership documents. The Complainant had informed that the land belongs to Temple and he is in possession of the same for the last 20 to 30 years. Since the Department is giving services based on the Aadhar Card and also, as advised by the Department he has enclosed only Aadhar card.

5. The Assistant Engineer, Thirubuvanaï was asked why he had accepted the application when the documents prescribed in Para 5.30 of Supply Code 2018 are not enclosed. Further why it was not intimated to the Consumer immediately when the application was found defect, as provided in the Supply Code. He had further wasted time by forwarding the application to the Junior Engineer for joint inspection and requested National Highways Division for clearance.

Observation:

- i) The application submitted by the Complainant is invalid, as none of the documents prescribed in Para 5.30 of the Supply Code 2018 have been enclosed.
- ii) The Assistant Engineer had failed to observe the procedure prescribed in the Supply Code for issuing acknowledgement, scrutiny, and giving intimation to the Consumer immediately.
- iii) The Junior Engineer had informed that some domestic connections were given based on the Aadhar card without insisting ownership documents, in order to regularise unauthorised services.
- iv) The application form in the Supply Code 2018 of JERC at Annexure-I, clearly specifies the documents to be enclosed to prove the ownership / occupancy. It is observed that the Department is still following the old application printed by the Department before issue of the Regulations in 2018. The old application provides for accepting Aadhar Card as a proof of ownership, but not the application prescribed in the Supply Code 2018. Hence, the Department should change the Application Form with immediate effect and effecting any new service based on the Aadhar card will be in violation of the provision of the Supply Code 2018 and the concerned officials will have to take the responsibility for the violation.

ORDER

- i. Since the application is invalid, the Complainant is not entitled for getting the service connection.
- ii. Thus the complaint is dismissed.
- iii. 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 and 4th Floor, Plot No. 55-56, Pathkind Lab Building, Sector -18, Udyog Vihar, Phase IV Gurugram, (122015) Haryana within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 10th day of July 2020.

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER