

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 7TH DAY OF MARCH 2023

CONSUMER CASE No.28/2023

A. Munusamy,
No.58, Main Road,
Sooramangalam,
Puducherry.

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Complainant

Vs.

- 1) The Executive Engineer, Rural-South O&M,
Electricity Department,
Puducherry
- 2) The Assistant Engineer –Eripakkam,
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.28/2023 came up before this Forum for final hearing on 06/03/2023. 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:

1. A Complaint was received from A. Munusamy on 27/01/2023. In the complaint, the Complainant had stated that he is having a service connection bearing policy No. 49-85-05-0272 wherein the meter is not working properly. Due to which he is getting excess amount of bill. The Complainant prayed this Forum for issue of directions to the Respondents to replace the defective meter and to arrange for revision of bill based on the correct reading. Hence, the Complaint.
2. The complaint was registered as C.C. No.28/2023 on 30/01/2023 and copy of the complaint was sent to the Executive Engineer, Rural (South) and others to furnish reply by 10/02/2023. Reply from the Junior Accounts Officer-Rev.III/ Respondent No.3 was received on 09/02/2023 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 21/02/2023.
3. In the Affidavit dated 09/02/2023, the Junior Accounts Officer, Rev.III/ Respondent No.3 filed for himself and on behalf of Respondent 1,2 and 4 had stated that, the Respondent No.2 in his field report has stated that the Complainant meter was sent to LTM/Lab for testing and performance report vide letter dated 03/02/2023. The Lab report, vide Note dated 02/02/2023 has stated that the performance of the meter was found normal and the errors are within the permissible limits. The current consumption charges bill is in order and hence no revision is required. Copy of ledger for the period from April 2022 to November 2022 is submitted. The final reading recorded during the billing month of November is 16540.
4. Hearing was held on 21/02/2023. Both the Complainant and the Respondents were present. During the hearing, the Complainant stated that the BPSC charges levied on month-on-month basis is very high. He has submitted a copy of the ledger in this regard. The Respondent No.2 has not filed any Affidavit and stated that

Respondent No.3 has furnished reply on behalf of all the Respondents. It has been advised that the Respondent No.2 has to file Field report on the technical aspects, which is must to ascertain the field condition. Hence Respondent No.2 was directed to file additional Affidavit. The Respondent No.3 was also directed to furnish a detailed statement of consumption on month-on-month with break-up of consumption for the past three years. The case was adjourned to 06/03/2023 for further hearing on 06/03/2023. Both the Complainant and Respondents were present.

5. In the additional Affidavit dated 24/02/2023 the Assistant Engineer, Eripakkam / Respondant No.2 has stated that the energy meter provided at the Complainant’s premises was released and sent to the Department Lab for furnishing of the performance report of the meter vide letter dated 20/01/2023. A spare meter was fixed in the place of replacement meter. The performance report of the meter was received from the lab vide letter dated 02/02/2023 stating that the functioning of the meter was found normal and errors are within the permissible limits. The details of the released and fixed meter are furnished below:

METER DETAILS	
Make	Visiontek
S.No.	06876490
Department No.	Nil
Capacity	1 Phase, 5-30 A
Imp/Kwh	3200
Class	1.0
Year of Manufacturing	05/2019
Reading	16569.9Kwh

After receiving the lab report, the meter was re-fixed at the consumer’s premises informing that the meter function is proper and to remit the current consumption bill in time to avoid the disconnection of service connection due to non-payment vide letter dated 02/02/2023. It is submitted that the meter provided during effecting of service connection had been replaced with a LPRF meter under DDUGI scheme on 01/08/2020 and the meter details furnished below.

METER DETAILS	
Policy Code	49-85-05-0272
Date of fixing	01/08/2020
Reading	No display
Connected load	4900 watts

He has also submitted a copy of the notice sent to the Complainant stating that the meter was tested in the lab and found to be in good working condition and hence bill revision does not arise and directed to pay the amount. A copy of the Lab report was also sent to the Complainant.

6. On perusal of the statement furnished by the Respondent No.3 it is seen that the Complainant has not paid any amount after January 2020 and arrears accumulated for the past 3 years. The consumption pattern year on year basis and the downloaded statement is almost same without much deviation. The Complainant requested to reconsider levy of BPSC which is amounting to Rs.10,017/-. It has been clarified that BPSC was levied based on the arrears amount at the rate of 2% interest. Since he had not made any payment after January 2020, the arrears accumulated. The Complainant was directed to remit the outstanding amount. The Complainant requested for 4 instalment to settle the outstanding amount.

ORDER

- i. The Respondents are directed to issue instalment order based on the request of the Complainant from 20/03/2023. If the Complainant failed to make payment as per the instalment order, the Respondents are at liberty to take action as per Supply Code 2018.
- ii. Thus the complaint is not allowed.
- iii. 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.

Dated at Puducherry on this the 7th day of March, 2023

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN