

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

PRESENT:

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
CHAIRMAN I/C AND LICENSEE MEMBER

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

THURSDAY, THE 29TH DAY OF OCTOBER 2020

CONSUMER CASE No.41/2020

Thiru Achuthanandam,
Plot No.72, Fourth Cross,
Annai Nagar,
Navarkulam
Puducherry

....

Complainant

Vs.

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

....

Respondents

This case in C.C. No.41/2020 came up before this Forum for final hearing on 21.10.2020. After 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 has been received from Thiru Achudanandam, on 18/09/2020. In the Complaint he had claimed that he used to pay monthly current consumption charges of about Rs.1000/- to Rs.1500/- per month. However, he has received a bill for an amount of Rs.21,133/- for the period of 5 months at an average of Rs.4,474/- per month which is very huge when compared with normal consumption. He had further stated that he is a Social Worker and his wife works in Secretariat. Hence they are not staying in the house for most part of the day. Hence the complaint.
2. The complaint has been registered as C.C. No.41/2020 and notices have been sent to the Respondents on 21/09/2020 to file reply on or before 30/09/2020. The reply received from the Respondent No. 3 on 29/09/2020 giving calculation for the arrears claim. The case was posted for hearing on 09/10/2020.
3. During the hearing the Complainant had informed that he is not satisfied with the reply given by the Respondent No.3 and informed that the meter consumption is very high. Though the Consumer has raised the new points about the meter's performance, the Assistant Engineer, Lawspet, has been instructed to remove the meter on 13/10/2020 in the presence of the Complainant and to get it tested in the Department Laboratory in his presence and to obtain his signature in the test report. The Department has been asked to file additional affidavit by 16/10/2020 and the case was posted for hearing on 21/10/2020. The Respondent No.3 was also directed to furnish month wise consumption details for the period from January 2019 to February 2020 by 16/10/2020.

4. The Assistant Engineer, Lawspet and Junior Accounts Officer (Rev-II) have filed their additional affidavit on 16/10/2020. During the hearing on 21/10/2020, the Complainant was called absent and the Forum had not received any information from the Complainant, after waiting for half-an-hour for the Complainant, again the Complainant was called absent and set exparte. The case was heard. The Assistant Engineer, Lawspet has been instructed to file his reply in writing, stating the reasons for the Complainant not signing the test report and also the present connected load details. In the written reply the Assistant Engineer, Lawspet stated that the Complainant, though was present in the testing, refused to sign the test report. He had further stated that the present connected load in the building is 11.06 KW. As per the records of the Department, the house was under 'Door Locked condition' from January 2019 to July 2019. During the period there was no power consumption. He had further informed that during the inspection of the premises of the Complainant by the Junior Engineer, Ashok Nagar, on 29/08/2020, it was observed that the Complainant's son is working from home due to the condition of COVID 19 lock down. The Complainant had met the Chairman i/c on 22/10/2020 and informed that he could not attend the hearing on 21/10/2020 due to some unavoidable personal reasons and he want the case to be heard on some other day. But, he was informed that the hearing was completed on 21/10/2020 itself and Orders will be issued later.

Observation: (i) The service connection is in the name of Tmt K. Manjuladevi and the Complaint was given by Thiru Achudanandam, who has stated that he is the tenant of the house and he is paying current consumption charges for the house. Hence the Complainant has been given the status of 'Occupier' and the Complaint is registered.

(ii) As per the report of the Assistant Engineer, Lawspet, the present connected load is 11.06 KW and as per formula in the Supply Code $L \times D \times H \times F$ for calculation of consumption and by adopting parameters given therein. The monthly consumption worked out to 1061 units ($11.06\text{KW} \times 30 \text{ days} \times 8 \text{ hours} \times 0.4 \text{ L.F}$). Whereas for the average consumption based on the meter reading is 912 units per month which is much less than theoretical consumption.

(iii) The meter has been tested in the laboratory as per the provision of the Supply Code in the presence of the Complainant and the error found to be 0.02%(-ve) which is well within the permissible limits and also shows that the meter is in good working condition.

(iv) The life style of everyone has changed drastically during the lock down period from March 2020 because of COVID 19. In several houses people attend work from home, students attending online classes etc., which will automatically increase the power consumption. Even in the present case also the Assistant Engineer, Lawspet reported that the Complainant's son is working from home and hence the contention of the Complainant that both of them will be out of house for most of the time is not acceptable in the present lock down condition.

ORDER

- (i) In view of the detailed reasons explained in various paras of observation, and also the bill issued by the Department is in accordance with the JERC Tariff Orders, the Complainant is liable to pay the demand amount of Rs. 21,133/- claimed by the Department upto July 2020.
- (ii) If the Complainant want instalments he may approach the Executive Engineer Rural (North), Electricity Department, Puducherry.
- (iii) Thus the Complaint is not allowed.

- (iv) 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 60 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 29th day of October 2020.

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
CHAIRMAN I/C &
LICENSEE MEMBER