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

MONDAY, THE 5TH DAY OF JUNE 2023

CONSUMER CASE No. 68/2023

Sriram Sri S/o Sridarane,
No.538, Vazhudavur Road,
Mutharaiyarpalayam,
Puducherry- 605005. .... Complainant

Vs.

1) The Executive Engineer-Rural(North),
Electricity Department,
Puducherry.

2) The Assistant Engineer –Kurumbapet,
Electricity Department,
Puducherry.

3) The Junior Accounts Officer – Rev.II,
Electricity Department,
Puducherry.

4) The Junior Engineer-Mutharaiyarpalayam,
Electricity Department,
Puducherry. .... Respondents

This case in C.C. No.68/2023 came up before this Forum for final hearing on 19/05/2023. 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.

A complaint was received from Sriram Sri, Muthirapalayam on 10/04/2023 about excess billing in single phase Service policy no. 26-13-05-0482A in ground floor and three phase policy no. 26-13-05-0482 for the first floor occupied by the complaint. In the complaint, the complainant stated that there was power interruption in his house. He engaged one private electrician to check the problem. He informed that service connection wire got disconnected and advised to inform the department staff. The department staff after checking the service wire informed to change the damaged service connection wire. Till then connection to first floor was given from single phase of the ground floor connection temporarily. After changing the wire the department staff came and connected the wire on the post and restored normal supply. It is alleged that temporary connection from ground floor was not disconnected. Thereafter bill amount for the single phase connection came in excess amount, whereas, it used to be in the range of Rs.100 to 200 as the portion of the house was not in use for more than a year. A complaint was lodged with the department. Staff checked and doubted that single phase records both services, due to which single phase meter records excess consumption. Later meter reader recorded reading only in another commercial service of the same premise but noted DL in single phase and three phase services. Another complaint was lodged in July 2022 for change of meters in both the services. In their absence, the meters were changed. Previously the bill amount was remitted regularly .But his request to revise the bill amount was not considered. Till date no action was taken by the department. The complainant is ready to remit the correct bill amount on revision. Hence, the complaint.

2. The complaint has been registered as C.C. No.68/2023 on 10/04/2023 and copy of the complaint was sent to the Executive Engineer –Rural (North) and

others for giving reply by 21.04.2023. Respondent No.3 sought extension of time till 28-04-2023. Reply from the Respondent No.2 and 3 were received on 02/05/2023 and 05/05/2023 respectively. The case was posted for hearing on 09/05/2023.

3. In the Affidavit dated 28/04/2023, the Assistant Engineer, Kurumbapet / Respondent No.2 for himself and on behalf of Respondent No.1 and 4 has stated that the Complainant has further stated in his complaint that during March 2022 a complaint was lodged for excess unit billed and there is no receipt in the Office. In continuation to the above on 06/07/2022 one letter is submitted to the Department wherein false reading entered and requested for replacement of 2 meters. In response, an MFR was executed on 21/07/2023 with the reason for removal is "Meter terminal short". MFR executed is reflected in the billing system during the month of February 2023. On receipt of the notice for the consumer case No.68/2023 the Complainant premises is inspected on 18/04/2023 and noticed totally 3 Nos. of service connection in the Complainant premises. The details of meter and check reading are detailed below:

26-13-05-0482A/A2.	26-13-05-0482/A2
Single Phase Domestic service	Three Phase Domestic service
Sanctioned load:8500W	Sanctioned load:2300W
Make:HPL Single Phase 5-30A S.No.L013899 D.No.SC1905146 Year 03/2019	Make: Vision Tek Three Phase 5-30A S.No.485155 D.No.- Year 08/2018
Check reading 12102 on 18/04/2023	Check reading 8077 on 18/04/2023
Billing history reading: 01/04/2023 – 12009 01/03/2023 – 11944 01/02/2023 – 11895 01/01/2023 – 11856 01/12/2022 – 11814 01/11/2022 – 11780	Billing history reading: 01/04/2023 – 7166 01/03/2023 – 5957 01/02/2023 – 5327 01/01/2023 – 4751 01/12/2022 – 4162 01/11/2022 – 3555
Present connected load:3280W	Present connected load:13380W
Monthly Average 12009 – 11780 = 229/5 = 46 units	Monthly Average 7166 – 3555 = 3611/5 = 722 units
Monthly Fixed SC = Rs.255/-	Monthly Fixed SC = Rs.69/-

The Respondent No.2 stated that from the month of April 2022, KW based fixed SC @ Rs.30/- for domestic service connection. Hence additional fixed SC amount has to pay from April 2023. It is seen from the above, the Complainant has the higher consumption of energy in the three phase service and higher sanctioned load in the single phase service and the existing energy meter shows normal reading parameters. As per the Complainant statement three phase service loads are transferred to single phase service connection and accordingly appropriate current consumption charges amount claimed for the single phase service which is including the three phase load usage for certain period. The Respondent No.2 stated that the dues are pending since July 2021 for the single phase service and since November 2021 for the three phase service. It is the responsibility of the policy holder to pay the electricity bill every month. The copy of ped-services consumer view page is submitted for both single phase and three phase service connection. Necessary enforcement is being conducted recently to collect the dues from the LT / HT consumers and the Complainant is taking advantage of the leniency showed to the policy holder in respect of the payment dues and blanketly trying to evade payment of dues and still wants to extend power supply without remitting the dues, hence there is no mala fide intention on the part of the Department officials.

4. In the Affidavit dated 28/04/2023 the Junior Accounts Officer-Rev.II / Respondent no.3 stated that as per the relevant ledger records, the consumer has last paid the current consumption charges of RS.10,342/- for the billing month of October 2021 in respect of the Policy code 26-13-05-0482/A2. As per the relevant ledger records, the consumer has at last paid the current consumption charges of Rs.209/- for billing month of June 2021 in respect of the policy code 26-13-05-0482A/A2. The consumer is due to pay a total amount of Rs.73,439/- towards arrears of current consumption charges upto the billing month of February 2023 in respect of the policy code 26-13-05-0482/A2. The Consumer is due to pay a total amount of Rs.37,502/- towards arrears of current consumption charges upto the

billing month of February 2023 in respect of the service 26-13-05-0482A/A2. No field report for bill revision, in this regard was received from the concerned O&M by the Revenue-II Section.

5. First Hearing was held on 09-05-2023. Both Complainant and Respondents No.2, 3 and 4 attended. The Complainant summarized his grievances on the excess claim of the current consumption bills pertaining to his house on the First floor with policy code 0482 and to the vacant portion on the ground floor 0482A. In the affidavit Dated 5th May 2023, Respondent No.2 stated that the dues are pending since July-2021 in respect of the single phase connection (0482A) and since November -2021 in respect of three phase connection (0482). The Complainant stated that since the bills were claimed in excess, he had not paid monthly bills. The Complainant raised the complaint during March 2022. The accumulated bill amounted to Rs.37,502/- and Rs 73439/- till February 2023 in the two services. The Complainant was asked to pay 50% of the bill amount before 17/05/2023, as no consumer can desist from making payment on raising some issues but continue to make payment on protest. It was made clear the amount so paid would be adjusted in case the findings go in favour of the complainant. Respondent No.2 was directed to enquire from the area staff who attended the complaint of the Complainant and file additional Affidavit before next hearing. The released meter should also be sent to the laboratory for testing. The Respondent No.3 should file additional affidavit on consumption pattern and month-wise consumption details should be furnished. The next hearing was posted on 17/05/2023. However, on the request of the complainant the hearing was rescheduled on 19/05/2023.

6. The Respondent No.2 stated that the released meter sent for testing with terminal block burnt, is beyond testing conditions. As per the working statement of the Respondent No.3, an amount of Rs.84,855/- is outstanding in policy No. 26-13-05-0482 and in respect of 26-13-05-0482A an amount of RS.39362/- is outstanding till March 2023. In the hearing on 19/05/2023 the Complainant produced a copy of the amount paid vide Receipt No.2323999610 dated 18/05/2023 for Rs.20,100/- and Receipt No.23230006107 dated 18/05/2023 for Rs.45,000/-. The Respondent No.2 stated that the staff are not aware of the Complaint attended by them in respect of the issue raised by the Complainant. The Respondent No.3 directed to furnish revised working statement after taking average of the previous year as per Supply Code Regulations 2018 in accordance with the above. The revised working statement as furnished by Respondent No.3 is reproduced below:

Policy Code26-13-05-0482A/A2. Policy No./Tariff 272172 /A2 Name: S. Sriram Address: No.538, Vazhudavur Road, Mutharaiyarpalayam, Puducherry		
Bill statement from Jan 2021 to Mar 2023		
Initial Reading	Jan 2021	5414
Final Reading	Mar 2023	12104
Unit consumed in 27 months		6690
Unit consumed in 1 month		248

Sl. No.	Bill Month	Initial Readg	Final Readg	Total unit	CC amnt.	FSC	Sub total	Sur cha	Total	Paid Amt	Arrear	Bps 2%
1	1/21	5414	DL	248	621	45	666	27	693	0	697	14
2	2/21	5414	DL	248	621	45	666	27	693	228	1161	23
3	3/21	5414	DL	248	621	45	666	27	693	0	1854	37
4	4/21	5414	DL	248	638	45	683	34	693	0	2571	51
5	5/21	5414	DL	248	638	45	683	34	717	0	3288	66
6	6/21	5414	DL	248	638	45	683	34	717	209	3796	76
7	7/21	5414	DL	248	638	45	683	34	717	0	4514	90
8	8/21	5414	DL	248	638	45	683	34	717	0	5231	105
9	9/21	5414	DL	248	638	45	683	34	717	0	5948	119
10	10/21	5414	DL	248	638	45	683	34	717	0	6665	133
11	11/21	5414	DL	248	638	45	683	34	717	0	7382	148
12	12/21	5414	DL	248	638	45	683	34	717	0	8099	162
13	1/22	5414	DL	248	638	45	683	34	717	0	8816	176
14	2/22	5414	DL	248	638	45	683	34	717	0	9534	191
15	3/22	5414	DL	248	638	45	683	34	717	0	10251	0
16	4/22	5414	DL	248	720	255	975	49	1024	0	11274	0
17	5/22	5414	DL	248	720	255	975	49	1024	0	12298	0
18	6/22	5414	DL	248	720	255	975	49	1024	0	13322	0
19	7/22	5414	DL	248	720	255	975	49	1024	0	14346	0
20	8/22	5414	DL	248	720	255	975	49	1024	0	15369	0

21	9/22	5414	DL	248	720	255	975	49	1024	0	26393	0
22	10/22	5414	DL	248	720	255	975	49	1024	0	17417	0
23	11/22	5414	DL	248	720	255	975	49	1024	0	18441	0
24	12/22	5414	DL	248	720	255	975	49	1024	0	19464	0
25	1/23	5414	DL	248	720	255	975	49	1024	0	20488	0
26	2/23	5414	DL	248	720	255	975	49	1024	0	21512	0
27	3/23	5414	12104	242	690	255	945	47	992	0	22504	0
28	4/23	12104	12294	190	518	255	773	62	835	20100	3239	0

Total Arrears Rs.3239/
Total BPSC Rs.1391/
Total amountRs.4,630/

Policy Code26-13-05-0482/A2. Policy No./Tariff 84560/214262 /A2 Name: S. Sriram Address: No.538, Vazhudavur Road, Mutharaiyarpalayam, Puducherry		
Phase-I, Bill statement from Jan 2021 to Jul 2022		
Initial Reading	Jan 2021	32516
Final Reading	Jul 2022	43139
Unit consumed in 19 months		10623
Unit consumed in 1 month		559

Phase-II, Meter change Bill statement from Aug 2022 to Mar 2023		
Initial Reading	Aug 2022	1
Final Reading	Mar 2023	8108
Unit consumed in 8 months		8107
Unit consumed in 1 month		1013

Sl. No.	Bill Month	Initial Readg	Final Readg	Total units	CC amnt.	FSC	Sub total	Sur-charge	Total	Paid Amt	Arrear	Bpsc 2%
1	1/21	32516	DL	559	2383	45	2428	97	2525	0	5151	103
2	2/21	32516	DL	559	2383	45	2428	97	2525	6216	1460	29
3	3/21	32516	DL	559	2383	45	2428	97	2525	0	3985	80
4	4/21	32516	DL	559	2447	45	2492	125	2617	0	6602	132
5	5/21	32516	DL	559	2447	45	2492	125	2617	0	9219	184
6	6/21	32516	DL	559	2447	45	2492	125	2617	13085	-1250	0
7	7/21	32516	DL	559	2447	45	2492	125	2617	0	1367	27
8	8/21	32516	DL	559	2447	45	2492	125	2617	0	3983	80
9	9/21	32516	DL	559	2447	45	2492	125	2617	0	6600	132
10	10/21	32516	DL	559	2447	45	2492	125	2617	10342	-1125	0
11	11/21	32516	DL	559	2447	45	2492	125	2617	0	1491	30
12	12/21	32516	DL	559	2447	45	2492	125	2617	0	4108	82
13	1/22	32516	DL	559	2447	45	2492	125	2617	0	6724	134
14	2/22	32516	DL	559	2447	45	2492	125	2617	0	9341	187
15	3/22	32516	DL	559	2447	45	2492	125	2617	0	11958	0
16	4/22	32516	DL	559	2720	69	2720	136	2856	0	14814	0
17	5/22	32516	DL	559	2720	69	2720	136	2856	0	17670	0
18	6/22	32516	DL	559	2720	69	2720	136	2856	0	20526	0
19	7/22	32516	43139	561	5648	69	2732	137	2869	0	23394	0
20	8/22	1	DL	1013	5648	69	5648	282	5930	0	29325	0

21	9/22	1	DL	1013	5648	69	5648	282	5930	0	35255	0
22	10/22	1	DL	1013	5648	69	5648	282	5930	0	41185	0
23	11/22	1	DL	1013	5648	69	5648	282	5930	0	47116	0
24	12/22	1	DL	1013	5648	69	5648	282	5930	0	53046	0
25	1/23	1	DL	1013	5648	69	5648	282	5930	0	58977	0
26	2/23	1	DL	1013	5648	69	5648	282	5930	0	64907	0
27	3/23	1	8108	1016	5667	69	5667	283	5950	0	70857	0
28	4/23	8108	8848	740	4082	69	4151	332	4483	45000	30340	0

Total Arrears Rs.30340/
Total BPSC Rs.1254/
Total amountRs.31594/

Observation: The complaint was raised in March 2022 and defective meter replaced in July 2022. The disputed period is only for the above period for which the meter reading has to be revised as per Regulation 7.12 of the Electricity Supply Code 2018 readwith Regulation 6.5 of the second Amendment dated 25/05/2021. The Respondents further stated that additional A/c units are found connected in both the services which had resulted in higher consumption and bill amount. The Complainant had also conceded that additional Air-conditioner units are added recently. The Complainant was advised to apply for enhancement of load for both the services and get the connected load regularised.

ORDER

i. As per the revised working statement furnished by Respondent No.3 the Complainant is directed to pay the amount within 15 days. The Complainant is directed to remit the amount in month on month basis without getting accumulated.

ii. Thus the complaint is 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 5th day of June , 2023

Sd/-	Sd/-	Sd/-
(R. KRISHNAMURTHY)	**(A.S. JITENDRA RAO)**	**(T. GOPALAKRISHNAN)**
JERC NOMINATED MEMBER	**LICENSEE MEMBER**	**CHAIRMAN**