

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 08TH DAY OF NOVEMBER 2021

CONSUMER CASE No.69/2021

V. Amirtham,
No.25, III cross,
Subaiya Pillai Nagar,
Ammalchatram,
Neravy (PO)
Karaikal

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Complainant

Vs.

- 1) The Executive Engineer,
Electricity Department,
Karaikal.
- 2) The Assistant Engineer –Town-I,
Electricity Department,
Karaikal.
- 3) The Junior Accounts Officer (Revenue),
Electricity Department,
Karaikal.
- 4) The Junior Engineer – Neravy,
Electricity Department,
Karaikal.

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Respondents

This case in C.C. No.69/2021 came up before this Forum for final hearing on 21/10/2021. 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 has been filed by V. Amirtham, Neravy Karaikal on 29/09/2021. In the complaint the Complainant has stated that the electricity service connection bearing policy code No.65-51-03-0143/ 0253/A2 at Neravy, Karaikal is owned by her. She remitted an amount of Rs.10,000/- on 30/04/2020 as against bill for an amount of Rs.5,684/-dated 06/03/2020. Since then no bill was received due to the pandemic situation of COVID-19. Subsequently, a bill for Rs.17,074/- for the month of June 2020 pertaining to the electricity charges for the month of March 2020 to June 2020 was given. She was surprised to see the inflated bill amount. She has requested to go through the readings as recorded from the energy meter which are depicted below:

SL.No	BILL NO & DATE	UNITS READING		UNITS CONSUMED	BILL AMOUNT	BILL PAID
		PREVIOUS	PRESENT			
1.	65-51-03-0143 FEB-2020/ 06-03-2020	12071	12791	720	Bal. O/S: 2497+3187= 5694/-	NIL
2.	CORONA LOCK DOWN	<u>Vide Receipt No.RL20610000928 dated 30/04/2020</u>			Average Bill amount paid	10,000
3.	65-51-03-0143 JUN-2020/ 8-07-2020	12791	17131	4340	17,074/-	NIL

From the above table of meter reading the lock down period from March 2020 to June 2020, no slab wise tariff table is there and resulting in higher power tariff when calculated for the total units as though consumed in single month. The attempt to disconnect for non-payment was stopped on the intervention of District Collector with instructions to resolve the issue before disconnection. On representation to the Executive Engineer / Karaikal, reply was received from the office with due break-up of the consumption / month wise with applicable tariff rate. Still the bill amount does not reflect the reality and still needs to be rectified.

The extract of the month wise consumption and amount claimed is follows as per the clarification letter dated 15/04/2021 of the Respondent to the Complainant (62-51-03-0143/0253 A2)

Month	Consumption	Bill Amount Current amount + Arrears
July 2020	610	2729 +17794
August 2020	390	2611 + 20740
Sept & Oct 2020	765 / 2	3644 + 24115
November 2020	600	2670 + 32321
December 2020	630	2847 + 35705
Jan & Feb 2021	620 / 2	959 } + 40262 959 }

The Complainant also contested that the energy meter was not rested as stated by the Respondent in the above said clarification letter and requested to substantiate their claim by furnishing the test results. The Respondent also enclosed the lab test report dated 19/05/2021. The Complainant has prayed i) to rationalise the amount arrived for the bill dated 08.07.2021 for the month of March 2020 to June 2020 and not to disconnect for non payment without resolving the issue. ii) to permit to pay current consumption charges from July 2020 to August 2021 only, which is not disputed. Hence, the Complaint.

2. The complaint has been registered as C.C. No.69/2021 on 30/09/2021 and the copy of the complaint was sent to the Executive Engineer Karaikal and others to furnish reply by 11.10.2021. Reply from the Respondents was received on 11/10/2021. Hearing of the case was posted 21/10/2021 at Karaikal. Hearing was attended by both the parties. The Complainant stated that there is no change in the number of persons occupying the above said house even during pre Covid period, during the COVID-19 period and after the post lock down period. Further, the usage of power remains the same for most of the months except for the period from February 2020 to June 2020. He is not having doubt on the healthiness of the meter. The meter is functioning correctly. The sudden raise in the consumption for the period from March 2020 to June 2020 is the only issue and requested this Forum

to reconsider the same. She has also raised the possibility of digital jumping in the Meter. The Respondents stated that the question of digital jumping does not arise in the static meter.

3. In the Affidavit dated 11/10/2021, the Respondent No.2 had stated that, in view of COVID 19, pandemic, the monthly readings could not be taken by the Meter Reader for the period from March 2020 to June 2020 and the current consumption charges bills were claimed based on the average consumption of the previous months but the charges were calculated for each month applying the slab rates only. The above procedure was followed by the Electricity Department, throughout the Puducherry U.T.

4. Monthly readings were taken and bills claimed from July 2020 to December 2020 after the relaxation of lock down. Further due to certain administrative reasons, the Bills were claimed on the total consumption for two months (January 2021 and February 2021) instead of single month readings. However, the charges were calculated for each month again applying the slab rates. It is added that, during the first phase of initial lock down, in the months of March 2020 to June 2020, the consumption in all the residences of the region were found to be higher than the normal consumption, due to all the members of the family at home and also being summer months. It is also to stated that the above were explained to the petitioner and also due reply was given along with the statement of the bills raised. It is also stated that check meter was fixed in the petitioner's house in parallel to the existing meter and their performance was also tested at the Department laboratory and found satisfactory. The above was conveyed to the complainant and advised remittance of the current consumption charges under submission of copy to the District Collector, Karaikal. Also necessary reply incorporating all the facts have been given to the Advocate of the complainant by the Additional Government Pleader, Karaikal. The department is undertaking disconnection of defaulters of current

consumption charges and notices have been served to the consumer calling for payment of current consumption charges. Whereas the Complainant has not made even part payment and the arrears are getting accumulated. The respondents were asked to clarify whether the check meter was connected in parallel or series, to which the respondent corrected their stand as in 'series'.

5. The Forum directed the Complainant to remit the current consumption charges for the period from July 2020 to till date with a covering letter expressing his remittances under protest within 20/11/2021. The complainant agreed to comply with the same.

6. The Respondent also furnished the Meter testing report from the lab dated 19/05/2021 which has stated that the performance of the above meter was satisfactory. Earlier, in order to convince the Complainant, the Respondent also arranged to fix a meter in series with the disputed meter and the reading of both meters are found to be recording same with least margin of error. The Respondent also stated that the consumption of all consumer invariably increased as the consumers were forced to remain in the house which has caused the consumption to raise enormously.

Observation:

i. The consumption of the Complainant meter for three years have been furnished by the Respondent which is reproduced below from 2019 to 2021.

Month	Consumption in 2019	Consumption in 2020	Consumption in 2021
Jan	410	800	557
Feb	710	720	620
Mar	1050	4340 / 4 = 1085	630
Apr	1120		2160 / 3 = 720
May	1390		
Jun	850		
Jul	970	610	880
Aug	690	590	860
Sep	850	1530	
Oct	810		

Nov	520	600	
Dec	510	630	
Average	823	818	

It is seen that the average consumption of the Complainant is found to be 823 in 2019 and 818 in 2020 and there is not much of difference.

ii. The connected load of the consumer is reported to be 16.76 KW and the computed consumption as per annexure XIX of the Electricity Supply Code, 2018 (for the state of Goa and Union territories) is 1609 units, whereas the recorded consumption by the Meter Reader is far less than the computed workings.

iii. In the hearing, the complainant had not doubted the meter functioning. There is also no provision in the Electricity Supply code 2018 (for the state of Goa and Union territories) to moderate the bill amount based on the previous average when the healthiness of the energy meter is good. As such there is absolutely no grounds for the revision of bill without any logic.

ORDER

i. The Complainant is directed to clear the disputed amount of Rs.17,074/- in four monthly instalments along with the monthly current consumption bill amount. The respondent is directed to issue instalment order accordingly to the complainant within 3 working days from the receipt of this order.

ii. The Respondent is directed to arrange to download the consumption of the meter and arrange to study / compare with the actual meter consumption as recorded by the Meter reader and appropriate action be taken and report the matter to this forum within 60 days from the date of this order.

iii. 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 Floor, Plot No. 55-56, Pathkind Lab Building, Service Lane, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015 within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 8th day of November, 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN