

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 02nd DAY OF NOVEMBER 2021

CONSUMER CASE No.70/2021

V. Ravikumar,
No.4, Mariamman Koil Street,
Thirumalairayan Pattinam,
Karaikal-609606

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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 – T.R. Pattinam,
Electricity Department,
Karaikal.

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Respondents

This case in C.C. No.70/2021 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. Ravikumar, Karaikal on 29/09/2021. In the complaint the Complainant has stated that the electricity service connection bearing policy code No.64-44-03-0274 at T.R. Pattinam Karaikal belongs to him. He has remitted an amount of Rs.688/- on 28/02/2020. Since then no bill was received due to the pandemic situation of COVID-19. Subsequently, a bill for Rs.33,252/- for the month of July 2020 pertaining to the electricity charges for the month of February 2020 to June 2020 was given to him. He was shocked to see the inflated bill. He has requested to go through the recorded readings recorded from the energy meter which were depicted below:

Month	Reading	Units consumed	Remarks
Aug 19	6090	90	
Sep 19	6300	120	
Oct 19	6500	200	
Nov 19	6690	190	
Dec 19	6830	140	
Jan 20	7000	170	
Feb 20	Corona Lock Down 13,380	6,380	Average unit per month (6380 /5) =1276 units
Mar 20			
Apr 20			
May 20			
Jun 20			
Jul 20	13930	550	
Aug 20	14310	380	
Sep 20	14910	600	
Oct 20	14920	10	
Nov 20	15120	200	
Dec 20	15220	100	Bill received on 01/02/2021
Jan 21			
Feb 21	15680	460	Bill received on 29/03/2021
Mar 21	16200	520	Bill received on 30/04/2021
Apr 21	Corona Lock down – 2 17230	1030	Bill received on 31/07/2021 Average Units per month (1030 /3) = 343 units
May 21			
Jun 21			
Jul 21			

From the above table of meter reading from the month of August 2019 to July 2021 the lock down period from Feb 2020 to June 2020 the total reading recorded as 13930 and the difference arrived between January 2020 and July 2020 was (13930 – 7000) 6,380 units. Hence, the average consumption is 1,276 units per month. After lock down from July 2020 to May 2021 the consumption varies between 200 to 600

units only. During the lock down period of second wave of COVID-19, from April 2021 to June 2021, average consumption recorded is 343 units per month only. The Executive Engineer, Karaikal has been addressed by way of letter dated 04/02/2021 which had resulted in vain. Whereas, the Department has installed another meter in parallel with the existing meter for testing and giving their response by justifying their stand. The Complainant has requested this Forum to go through the consumption from August 2019 to June 2021, especially the average meter reading taken from February 2020 to June 2020 are exorbitant. Earlier resorted to legal proceedings by seeking legal assistance from Online Legal India, and issued a notice to the Executive Engineer, Karaikal on 28/04/2021. But he has not received any reply from the Department. The Complainant has prayed to permit to pay the energy consumption charges from July 2020 to July 2021 which is not a disputed one to him, but only for the disputed lock down period from February 2020 to June 2020 wherein average consumption of 1276 per month was claimed. Hence, the Complaint.

2. The complaint has been registered as C.C. No.70/2021 on 30/09/2021 and the copy of the complaint was sent to the Executive Engineer Karaikal and others to furnish reply by 10.10.2021. 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 February 2020 to June 2020 is the only issue and asked this Forum to reconsider the same. He has also raised the possibility of digital jumping during

the lockdown period. 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 UT.

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 to 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 for 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 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 26/02/2021 which has stated that the performance of the above meter was satisfactory and there is no need for bill revision. 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	200	170	460
Feb	200	6380	
Mar	239		520
Apr	210		1030
May	200		
Jun	180		
Jul	200	550	300
Aug	90	380	300
Sep	120	600	
Oct	200	10	
Nov	190	200	
Dec	140	100	

It is seen that the consumption of the Complainant is found to be in range of 200 to 300 units for most of the months in the year.

ii. The connected load of the consumer is reported to be 9.755 KW and the computed consumption as per annexure XIX of the Electricity Supply Code, 2018 (for the state of Goa and Union territories) is 936 units. Whereas the recorded consumption by the Meter Reader is far less than the above workings.

iii. The complainant had not doubted the meter functioning. 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.33252/- in five monthly instalment along with the monthly current consumption bill amount. The respondent is directed to issue instalment 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 2nd day of November, 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN