

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

WEDNESDAY, THE 10TH DAY OF NOVEMBER 2021

CONSUMER CASE No.71/2021

Bharati Khadi Bhavan,
Represented by its Proprietrix
Jagathambigai Balasubramanian,
New No.154, Old No.72,
Nehru Street,
Puducherry-605001.

....

Complainant

Vs.

- 1) The Executive Engineer – Urban,
Electricity Department,
Puducherry.
- 2) The Assistant Engineer – Town -I,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer – Rev – I,
Electricity Department,
Puducherry
- 4) The Junior Engineer –Town -Central,
Electricity Department,
Puducherry.

....

Respondents

This case in C.C. No.71/2021 came up before this Forum for final hearing on 28/10/2021 at Puducherry. 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 received from Bharati Khadi Bhavan represented by Jagathambigai Balasubramanian, through email on 30/09/2021. In the complaint, the Complainant has stated that, he had received excess charges in service connection No.03-12-06-0806/A1 during the lock down period. Her regular usage is about 250 units per month. She had further stated that, she has given online complaint to the Department on 12/05/2021 and 18/05/2021. But no reply received so far. She had met the Junior Engineer, Town Central on 31/05/2021. In spite of several attempts one staff of the Department visited her shop. But still her concern was not resolved. The Complainant has prayed for revision of bill. Hence the complaint.

2. The complaint has been registered as C.C. No.71/2021 on 05/10/2021 and the copy of the complaint was sent to the Executive Engineer – Urban and other Respondents to furnish reply by 15.10.2021. Request was received from the Executive Engineer, Urban / Respondent No.1 seeking extension of time for furnishing reply. The reply has been received from the Assistant Engineer, Town-I on 15/10/2021. The case was posted for hearing on 28.10.2021.

3. In the Affidavit dated 15/10/2021 the Assistant Engineer Town-I / Respondent No.2 has stated that based on the complaint, the Junior Engineer, Town Central inspected the premises on 15/06/2021 and necessary field report with reading particulars were sent to the Junior Accounts Officer – Rev.I on 21/06/2021. Based on the complaint to CGRF, the premises was once again inspected on 11/10/2021 and total load connected in the premises was 1165 watts. The reply from the Junior Accounts Officer Revenue-I / Respondent No.3 was received on 22/10/2021.

4. In the Affidavit dated 22/10/2021 the Junior Accounts Officer-Revenue-I / Respondent No.3 has stated that due to the changeover of the phase of the smart meter from 2.80 to 1.80 (i.e., export – import) the excess current consumption charges of Rs.10,556/- (including FC, Surcharge, BPSC) has been calculated by the computer billing data for 1584 units, since the meter has been running in 2.80 upto the billing month of February 2021, the meter is being running in good condition from the subsequent month i.e., April 2021 to till date. Accordingly excess current

consumption charges is corrected and calculated for an amount of Rs.944/- (including Surcharges, Fixed charges, BPSC) for the average of 130 units as the current consumption charges for the month of March 2021 only and thereafter based on the actual consumption statement as detailed below:

Month / Year	Arrear	Bpsc	SC	ST	Misc	Unit	CCC	FC	FFCA	Sur	S-total	Paid	Total
Mar 21	0	18	0	0	0	130	760	130	0	36	944	0	944
Apr 21	926	18	0	0	0	2	11	0	0	44	999	0	999
May 21	981	18	0	0	0	65	371	0	0	1	1370	0	1370
Jun 21	1352	45	0	0	0	220	1380	0	0	19	2796	0	2796
Jul 21	2751	100	0	0	0	217	1360	0	0	69	4280	0	4280
Aug 21	4180	100	0	0	0	240	1515	0	0	68	5863	0	5863

5. The hearing was conducted on 28/10/2021. The Complainant represented through an authorised person and the Respondents were present. During the hearing the Complainant had informed that the revised bill is yet to be received, though the Department had stated in the reply that the bill was revised. She reiterated that the revised bill is required only for April 2021 and she had no complaints in the bills either prior to that or after that. The Assistant Engineer-Town-I had informed that the Department had changed smart meter in March 2021 and while giving connection, the import and export terminal connection are interchanged. The same was rectified after receipt of the Complaint and a report was sent to the Junior Accounts Officer-Revenue-I in June 2021. The Junior Accounts Officer Revenue-I have informed that the revised statement has been worked out, but bill is yet to be issued to the consumer. The Forum directed the Junior Accounts Officer-Revenue-I to send revised bill exclusive of BPSC and inclusive of FSC with detailed calculations to the Complainant by 29/10/2021 and obtain acknowledgement of the Complainant.

Observation: i. The Complainant had given petition for revision of bill in the month of May 2021 and the issues have not been resolved which shows that the Department has totally ignored the time frame and the procedures stipulated under various sections of the Supply Code 2018.

ii. During the hearing the Junior Accounts Officer-Revenue –I had confirmed that there is no procedure for registering complaints separately which reveals that the consumer complaints are not given due merits.

ORDER

- i. As discussed and ordered in the previous para, the Respondents are directed to revise the bill to the Complainant as per Section 7.26 of Supply Code 2018 with detailed calculations by 29/10/2021. A copy of the revised bill sent to the Complainant shall also be sent to CGRF within one week from the date of this Order for records.
- ii. The Department shall evolve procedure for registering billing complaint and follow the due procedure as stipulated in the Supply Code 2018, failing which this Forum will be constrained to impose penalty for the delay in attending to the dispute.
- iii. The Department shall also establish procedure for dealing with complaints as stipulated in the Supply Code within 30 days from the date of Order and also send a copy of the same to this Forum for records.
- iv. Thus the complaint is allowed.
- v. 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.
- vi. Non-compliance with the directions of Forum by the Licensee shall attract remedial action under Sections 142 and 146, of the Electricity Act 2003.

Dated at Puducherry on this the 10th day of November 2021

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

(A.S. JITENDRA RAO)
LICENSEE MEMBER

(T. GOPALAKRISHNAN)
CHAIRMAN