

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 1ST DAY OF DECEMBER 2021

CONSUMER CASE No.86/2021

N. Asiamariyam,
No.11, Urudu Street,
Raja Nagar Extension,
Sultanpet,
Puducherry

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Complainant

Vs.

- 1) The Executive Engineer Rural (North),
Electricity Department,
Puducherry.
- 2) The Assistant Engineer –Boomianpet,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer – Rev-II,
Electricity Department,
Puducherry.
- 4) The Junior Engineer –Villianur,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.86/2021 came up before this Forum for final hearing on 19/11/2021. 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 was received from N. Asiamariyam, Sulthanpet, Villianur on 26/10/2021. In the complaint the Complainant stated that, in her house with policy

code No.32-90-03-0241A, the defective meter was replaced on 09/02/2021. Even after the change of meter, the bill is issued as meter stuck up(MS). The new meter reading was not entered in the bill after change of meter. She had requested the Department to revise the bill for several times. As the meter average bill claim during the meter stuck up period was on the higher side, higher amount was collected. But the actual recording after meter change is found to be low. She has requested to revise the amount claimed from the higher side after change of meter and as well as for previous period. Hence, the complaint.

2. The complaint has been registered as C.C. No.86/2021 on 26/10/2021 and the copy of the complaint was sent to the Executive Engineer (Rural-North) and others for giving reply by 05/11/2021. The Junior Accounts Officer-Revenue-II / Respondent No.3 has requested for extension of time till 12/11/2021 due to intervening public holidays and other holidays on account of Deepavali festival. The reply has been received on 12/11/2021 and the case was posted for hearing on 19/11/2021. The hearing was attended by both.

3. In the Affidavit dated 09/11/2021, the Assistant Engineer, Boomianpet/ Respondent No.2 on behalf of others has stated that the Complainant approached the Office in January 2021 for replacement of stuck-up meter in the service connection bearing policy number 32-90-03-0241A. Due to non-availability of single phase energy in the Department stores, the Complainant purchased the single phase meter from outside market and after testing the stuck-up meter was replaced on 09/02/2021 and report of the MFR was sent to the Junior Accounts Officer Rev-II. The present connected load of the consumer is 10180 watts and reading in the meter is 2250KWH as on 02/11/2021.

4. In the Affidavit dated 12/11/2021, the Junior Accounts Officer- Rev-II/ Respondent No.3 has stated that the Meter Fixed and Released report received from the Assistant Engineer, Boomianpet vide letter dated 17/03/2021. The concerned ledger clerk was deputed for General Election duty during the month of March 2021 and then due to Covid outbreak in UT of Puducherry the current consumption charges bill was not served to the consumer for the month of April and May 2021.

Due to stated reasons, MFR entry was entered in the computer system in the month of May 2021. The Respondent No.3 further stated that no letter was received from the Complainant to revise the meter stuck period in respect of the above said Policy and report from the Assistant Engineer, Boomianpet, was also not received in this regard. Bill revision has been made on 11/11/2021 in respect of the above said policy for the period from January 2021 to June 2021 and from July 2021 to September 2021 as per actual energy consumption units. As per the revised bill statement an amount of Rs.6,941/- is due towards payment of arrears of current consumption charges in respect of the above said policy for the period upto September 2021.

Observation: On perusal of the working sheet it is found that average has been arrived after change of stuck up meter as 188 units for the month of January 2021 to June 2021 and the bills has been revised accordingly. Further, for the month of July 2021 to September 2021 records 310 to 350 units. The Complainant stated that the consumption is very high for a two storied small house of 17 x 20 sq.ft. The Respondents are directed to check the meter and to take appropriate action, based on the outcome of the lab test report. Further on perusal of the statement, it is seen that BPSC is levied to the tune of Rs.551/-. But the bill has been revised from January 2021 to September 2021 and are to be issued. The claim of BPSC in bill revised only on 11/11/2021 is not correct. Further on perusal of the report, the meter stuck up was in service for more than 97 months ie., 8 years. As per the JERC Supply Code 2018 the defective meter should have been replaced within 3 months as per Regulations 7.12 reproduced below:

“7.12: In case of defective / stuck/ stopped / burnt meter, the consumer shall be billed on the basis of higher of monthly consumption of corresponding month of the previous year and average monthly consumption of immediately preceding three months. These charges shall be leviable for a maximum of three months only during which time the Licensee is expected to have replaced the defective meter.

Non changing of defective meter for more than 97months had affected the Complainant not getting monthly bill based on actual consumption as well as the Department not raising bill on actual recording.

ORDER

- i. Based on the lab test report the Respondent is directed to take appropriate action for revision of bill as per JERC Supply Code 2018 within 30 days with a compliance report to this Forum.
- ii. The Complainant is directed to pay the amount as per the revised bill within 7 days from the receipt thereof.
- iii. The Respondent is also directed to replace all defective meters in the Villinanur O&M which is defective for more than 3 months based on billing data base and a report on the action taken shall be sent to this Forum within 30 days.
- iv. The Complaint is allowed to the extent indicated.
- 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 1st day of December 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN