

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 18TH DAY OF JULY 2023

CONSUMER CASE No. 88/2023

Kuppammal,
Represented by R. Babu Rajendran,
No.5, Tenth Cross,
Ilango Nagar,
Puducherry-605011.

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Complainant

Vs.

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

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Respondents

This case in C.C. No.88/2023 came up before this Forum for final hearing on 10/07/2023. After hearing both sides 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 R. Babu Rajendiran on 05/06/2023. In the complaint, the Complainant had stated that the house in which the service connection standing in the name of his mother Kuppammal for the policy Code No.05-21-03-0315CA is very old and kept locked for the past few years and the current consumption bill was not paid. Presently with an intention to pay the bill he approached the Junior Engineer, Venkata Nagar and requested to take meter reading. The Junior Engineer also arranged to take reading based on the request and a bill for Rs.3,40,000/- has been raised. Again, the Complainant had approached the Junior Engineer and asked to explain the reason for claiming such a huge bill. The Junior Engineer had stated that the consumption was in the range of 25,000/- for the past 44 months and hence, the said amount had been claimed. Since the Complainant was not satisfied with the reply of the Department, he has requested to verify the bill claimed. He also stated that he is ready to settle the amount based on the correctness of bill. Hence the complaint.

2. The complaint has been registered as C.C. No.88/2023 on 06/06/2023 and copy of the complaint was sent to the Executive Engineer –Urban and others for giving reply by 19/06/2023. Reply from the Respondents was received on 19/06/2023. The case was posted for hearing on 27/06/2023.

3. In the Affidavit dated 13/06/2023, the Assistant Engineer Town-II/ Respondent No.2 for himself and on behalf of Respondent No.1 and 4 has stated that, the complaint due to dissatisfaction in his current consumption bill amount. But the consumer has not paid electricity bill for the last 8 years. Many times the staff tried to disconnect the service, but the house was in door lock condition and the Meter Reader also could not take the readings and there were many big dogs inside the premises. Whenever, the Meter Reader approach the main gate, the dogs barked

and come bouncing upon to bite. The Meter Reader came out with fear. The Junior Engineer has visited along with staff and collected occupant's mobile number and requested the consumer to pay the current consumption bill. Minimum charges continued to be claimed. Further, other divisions of the Department owe the Newspaper M/s New Indian Express some amount to be paid as Advertisement charges. In view of this and since this Office is for Media service connection was not disconnected. Several telephonic request had been made to the consumer to make the house ready to take reading. When the arrear amount increased to Rs.1.50 lakhs, again the Department staff went to disconnect the service, which remained locked. But the house is under full use. On inspection 19/08/2022 the house with the help of the Complainant the reading of policy Code No.05-21-03-0315CA policy meter 35871kwh and another policy Code No.05-21-03-0315B policy meter was burnt out. A new meter was replaced and updated the readings on 30/01/2023. Then the 47 months of door lock was released and updated for the policy policy Code No.05-21-03-0315CA/A2. The consumption was 25,685 kwh and the amount was hiked from Rs.1,94,495/- to Rs.3,32,151/-. If requested, the Department would permit the consumer to pay the current consumption charges in reasonable instalments.

4. In the Affidavit dated 15/06/2023 the Junior Accounts Officer-Rev.I / Respondent No.3 has stated that as admitted by the Complainant, the above premises was in 'Door Lock' condition for a long period and no reading has been taken since 2019. On request made by the Complainant, the door lock (DL48) was released on December 2022 and the final meter reading was 35871. The first door lock (DL1) as per ledger records was on January 2019 and the arrears stood at Rs.1,34,082/-. Periodical meter readings were taken prior to January 2019. The total current consumption units consumed from January 2019 (DL1) to December 2022 (DL 48) for 48 months was 25685 units which is 535 units per

month. During the door lock period only minimum charges were claimed. On release of door lock in December 2022, current consumption charges and surcharge were calculated for 48 months ($25685 / 48 = 535$ units / month) according to the respective year's tariff slabs and the current consumption charges and surcharge payable was 1,07,904/- and Rs.4,324/- respectively. Again, the premises was in door lock condition since January 2023. The total accumulated arrears as on April 2023 is 3,25,220/-. The service connection was not disconnected due to field conditions and allowing due regard to the occupant, who is from Media. The Complainant has not made any payment of current consumption charges for long period of time. If requested, the Department would permit the consumer to pay the current consumption charges in reasonable instalments.

5. Hearing was held on 27/06/2023. Both the Complainant and the Respondents were present. During the hearing the Complainant requested this Forum to desist from levying BPSC claim and ready to pay the principal amount. This Forum made it clear that there is no Regulation to stop claiming of BPSC as the same has been claimed as per the tariff conditions. However he was asked to present a copy of payment receipt made by him on the last occasion. The Respondent No.3 was directed to file a copy of the working sheet from the date of last payment. The Respondent No.2 and 4 stated that reading could not be taken as the premises was in door locked condition and guarded by dogs. The Meter Reader, due to fear of unleashed dogs was apprehensive to venture inside and take monthly reading. The Respondent No.3 was also asked why no disconnection was carried out for non-payment of current consumption charges for long period of time and accumulating the arrears to Rs.3,25,000/-. Whereas the defaulted consumers in other areas been disconnected as per the directions, even though outstanding amount was meagre. The Respondents stated that due

to underground service, the service could not be disconnected and the house which is always kept in door locked. The case was posted for next hearing on 10/07/2023.

6. In the additional Affidavit dated 10/07/2023, the Respondent No.3 stated that the Complainant had made last payment on 23/06/2007 for Rs.44 and as per official records it is found that no further payment has been made till date. The arrears amount of Rs.3,25,220/- as on April 2023 is due to accumulation of arrears.

7. During the second hearing held on 10/07/2023, the Complainant was not present and also failed to produce copy of last payment receipt. The Respondents were present. The Respondent No.3 stated that no payment was received after 2007.

Observation: Had timely action taken by the Department, the arrears would not have mounted to such an extent. Further the Complainant also display the monthly reading at the gate to enable the Meter Reader to note the reading without entering the house. This would have avoid irregular reading.

ORDER

- i. The Complainant is directed to approach the Department and get instalment order within 3 days from the date of this Order and pay the first instalment amount as stipulated in Instalment Order. The Complainant should pay monthly instalment amount along with regular monthly Current consumption bill.
- ii. The Respondent No.3 is directed to issue necessary instalment order and a copy of the same be sent to this Forum for records. The Respondent No.3 is also directed to collect outstanding remittance and in case of failure of remitting the amount, the Department should take appropriate action as per Supply Code 2018.
- iii. The complaint is not allowed.

iv. 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 18th day of July, 2023

Sd/-
(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-
(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-
(T. GOPALAKRISHNAN)
CHAIRMAN