

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

THURSDAY, THE 23rd DAY OF DECEMBER 2021

CONSUMER CASE No.97/2021

R. Muthukrishnan,
No.31, Mariammankoil West Street,
Thiruvettakudy,
Kottucherry,
Karaikal.

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Complainant

Vs.

- 1) The Executive Engineer,
Electricity Department,
Karaikal.
- 2) The Assistant Engineer –Town-II,
Electricity Department,
Karaikal.
- 3) The Junior Engineer – Kottucherry,
Electricity Department,
Karaikal.

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Respondents

This case in C.C. No.97/2021 came up before this Forum for final hearing on 10/12/2021. 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 R. Muthukrishnan during the CGRF camp hearing held on 17/11/2021 at Town North (O&M) Karaikal. In the complaint, the Complainant had stated that, the electricity meter provided in his house is not working properly. Though he had given several complaints to the Department, it was not attended. The meter had been changed three months back. Now he is getting bill amount of Rs.405, Rs.418, Rs.500. The Department had informed that the old meter is in good working condition. He had requested to revise the bill based on the present energy consumption. Hence, the Complaint.
2. The complaint has been registered as C.C. No.97/2021 on 17/11/2021 and the copy of the complaint was handed over to the Executive Engineer, Karaikal and others to furnish reply by 29.11.2021. Reply from the Respondents was received on 01/12/2021.
3. In the Affidavit dated 29/11/2021, the Assistant Engineer, Town-II / Respondent No.2 had stated that, the petition has already been received from the Complainant dated 20/10/2021, for revision of current consumption bills for the month of August 2020 due to hike in consumption as 1350 units as compared to the previous month. Based on the complaint the meter was tested in the Department Laboratory and found to be in good condition. The same was intimated to the Complainant and advised to pay the amount to avoid BPSC.

Further, the Complainant service is a single phase service with a connected load of 3160 watts. The present connected load of the above services is 4355 watts. The Complainant's meter was a mechanical meter. As per routine procedure, the mechanical meter has been replaced by static meter on 08/04/2021.

4. The case was posted for hearing on 10/12/2021 at Karaikal. Both the Complainant and the Respondents present. During the hearing, the Complainant had informed that his consumption in August 2020 was much more than his normal consumption and in spite of several request, the Department did not make any correction so far. He had also informed that he had paid Rs.9000/- as ordered by the Forum on 17/11/2021. When the Forum asked whether the meter was tested in his presence, he replied in negative.

5. As per the Affidavit, the Department had received the Complaint about defective meter in October 2020. If that is the case, the Forum asked the Department to clarify, why the meter was tested in January 2021 and what was the basis of testing and collection of charges for testing purpose. The Complainant has told that he had informed the problem in the month of October 2020 about the defective meter and when asked, the Complainant had told that the Department has not sent meter testing report within 7 days as contemplated in the Supply Code. The Department further informed that the meter is changed as a part of exercise to change all mechanical meters with static meter.

Observation: i. The Complainant had informed about the defective meter in October 2020; whereas the Department has taken up for testing in the month of January 2021. Section 6.44 of the Supply Code 2018 provides that the defective meter has to be tested within 15 days, which the Department had failed to comply.

- ii. Section 6.35 of the Supply Code 2018 provides for testing of meter after collection of fees from the Consumer. The Department had failed to comply with the provisions of Section 6.36 to 6.39 of Supply Code to be followed in testing of meters.
- iii. The Mechanical meter under question was manufactured in 2001 and problem in the meter had occurred in August 2020 nearly after 20 years of service which is much more than the fair life of mechanical meter.
- iv. The monthly consumption furnished by the Department during the hearing for the period from July 2019 to December 2020 are furnished below.

Month	Consumption in 2019	Consumption in 2020
Jan	-	350
Feb	-	337
Mar	-	337
Apr	-	337
May	-	-
Jun	-	440
Jul	330	300
Aug	300	1350
Sep	240	300
Oct	320	260
Nov	330	340
Dec	330	160

From the above details it may be observed that the consumption of the Complainant is around 300 units per month only. Whereas in the month of August 2020 the consumption recorded as 1350 units which cannot be compared with the consumption of previous period or after change of mechanical meter. The mechanical meter which was in service for more than 20 years, is susceptible to defects, resulting in higher consumption in August 2020. As per the Affidavit of the Department the total connected load of the consumer is 4335watts and for this

connected load there is no possibility of consuming 1350 units in a month as recorded in the meter. Hence based on the circumstantial evidences, the Forum concludes that the meter had mal functioned in August 2020 and bill needs to be revised. As per Section 7.12 of Supply Code 2018, the consumption of previous year for the same month has to be considered for revision and the consumption of August 2019 is 300 units, which shall be used for billing for August 2020 instead of 1350 units.

ORDER

- i. As pointed out in observation in previous paras, the Forum concludes that there is defective recording of the meter in August 2020 and hence the bill needs to be revised as per the directions given above and as per the provisions of Section 7.26 of Supply Code 2018.
- ii. A copy of the revised bill sent to the Complainant shall also be sent to this Forum for records and compliance.
- iii. The Complainant is directed to pay the arrears if any, as per revised bill within 10 days from the date of receipt thereof.
- iv. The Complaint is allowed.
- v. 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 23rd day of December, 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN