

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ADMINISTRATION
SRI VIJAYA PURAM

Before:

Shri. R. Ravichandar, Chairman.
Shri. Narayan Chandra Baroi, Member (Licensee).
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Shri. Kathiresan, R/o Bambooflat, South Andaman (*Suo-Motu cognizance of a YouTube video published on 19/08/2024 by Shri. Yamin, Reporter, News Andaman 24*7*).

.....Complainant

Versus

The Electricity Department, A & N Admn., Sri Vijaya Puram.

.....Respondent

Complaint No. : ANI/CGRF/10-0/449 dated 22.08.2024.
Complaint : Excess billing bearing Consumer No. R/3078
Date of Hearing : 10/09/2024
Date of Order : 26/09/2024

ORDER

Background

Unaware of the existence of Consumer Grievance Redressal Forum, A&N Administration a resident of Bambooflat, South Andaman had approached a local news channel to vent their grievances of excess billing inspite of completion of inspection by the concerned site office. The news was published in the you tube channel viz. '*News Andaman 24*7*' dated 19th August 2024. The Forum took Suo-motu cognizance of it and sought further information in this regard from the Nodal Officer, CGRF of Electricity Department vide its letter No. ANI/CGRF/10-0/449 dated 22.08.2024. In course, the Assistant Engineer, Ferrargunj furnished the information on 05.09.2024 intimating various details such as sanctioned load of the consumer, accuracy of the meter etc.

The Assistant Engineer and the Nodal Officer were directed on 22.08.2024 to appear before the Forum with all necessary information and documents on 10/09/2024 for a hearing. The Assistant Engineer, Ferrargunj sent a letter on 09th September 2024 submitting various details provided by EESL, which stated that there is no issue from the meter side.

The above said information furnished vide letter dated 09/09/2024 contained information under Tamper data report which required more details and as such the Forum directed the Respondent viz. Assistant Engineer, Ferrargunj to furnish the information in complete shape and for this the Forum, had given one week time to the Respondent for clarification from EESL regarding the tamper data report furnished by the meter manufacturer Genus



Power Infrastructures Ltd. regarding the events recorded in the meter vide GP7409861 during the month from May 2024 to September 2024 the major contribution of consumption due to Earth leakage contributes 910.3 Kwh and reverse current contributes 897.7 Kwh. The Assistant Engineer, Ferrargunj furnished the information including Tamper threshold vide his letter dated 19/09/2024 (*Exbt. -1*).

Hearing on 10/09/2024

The Hearing was held on 10/09/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. K. Kathiresan, Complainant.
- (ii) Shri. Rajesh Singh, Assistant Engineer (F/Gunj), Elect. Dept.
- (iii) Shri. P.N. Choudhary, Junior Engineer (B/Flat), Elect. Dept.
- (iv) Shri. V. Hamza, Meter Reader, Elect. Dept.

Statement of the Complainant

The Consumer Grievances Redressal Forum (CGRF) has initiated a Suo motu complaint after observing a YouTube video published by a local news channel, which exposed a critical issue regarding excess billing of consumer by the electricity department. The video highlighted multiple instances where consumer was being charged exorbitant amounts, far beyond their actual consumption, leading to financial distress and dissatisfaction.

As guardians of consumer rights, the Forum, after reviewing the video, has decided to take Suo motu cognizance of this matter to protect the affected consumer. The issue of excess billing not only breaches fair business practices but also violates consumer protection laws.

Through this complaint, the Forum seeks a thorough investigation into the matter, ensuring that consumer receive accurate billing based on actual meter readings and that any excess amounts already paid are to be refunded. The Forum will also investigate the systemic issues that may have caused such discrepancies, demanding corrective actions from the concerned authorities to prevent further incidents of this nature.

We urge the electricity department to cooperate fully and address the concerns raised to restore consumer confidence and ensure transparency in the billing process.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer (F/Gunj), Electricity Department on behalf of the Respondent/ Licensee (ED) in his written submission vide letter No. EL/AE/FG/3-20/2024-25/248 dated 05/09/2024 has stated that:

- “1. Shri Kathiresan, R/o Bambooflat is a Domestic consumer vide consumer no. R/3078 under Bambooflat site office.
2. The sanctioned load as per the record 01 KVA.



3. The consumer has approached the site office for excess billing for the month of May 2024 and June, 2024 vide his letter dated 24/07/2024.

4 In response the site office has installed a check meter bearing GP No. 763956 on 26/07/ 2024 in presence of consumer and recorded the initial reading of existing meter and check meter under the signature of consumer.

5. The site J.E. also checked the past records pertaining to the consumer and found that the meter is communicating with the data center and reading is received (Copy enclosed),

6. The past bills and bills for the month of May 2024 & June 2024 billed as per the reading received from the data center (Copy enclosed). Hence there is no question of human error.

7. The reading of both the existing and check meter was observed for 05 days i.e.. from 26/07/ 2024 to 31/07/ 2024 and found that both the meter recorded the actual consumption. (The copy of testing report of J.E. is enclosed). The final reading of both the meters was recorded in presence of consumer under his signature.

8. Accordingly the consumer was intimated that the meter is functioning well, and no discrepancies are noticed.

9. Also as per the direction of the Hon'ble Forum, the data from the Deputy Manger M/s EESL showing the daily unit consumption was requested, but due to some technical error in the software, only the daily load pattern showing the peak demand month wise forwarded to this office as per which the consumer has consumed higher units in the month of May, 2024 and June, 2024 i.e. 160 Kwh and 700 Kwh (Copy enclosed).

10. Further the M/s EESL has intimated that effort will be made to extract the daily consumption unit from the infrared port of the meter, and the same will be submitted on its receipt on the day of hearing if so.

11. From the above, it is evident that no disparity is found in the reading of check meter and installed meter, either in physical testing of meter and also from the data received from the M/s EESL, So this office claims for issuance of bill as per the recorded consumption.

This is for favour of kind information and further action please."

Further, the Assistant Engineer (F/Gunj), Electricity Department on behalf of the Respondent/ Licensee (ED) in his written submission vide letter No. EL/AE/FG/3-20/2024-25/251 dated 09/09/2024 has stated that "Please find enclosed here with the copy of reports received from M/s EESL for favour of kind information and further action please. The details of report enclosed are as given below.

1 Billing data report for period from 01/09/2024 to 01/10/ 2024.

2. Instant data report

3. Meter name plate details.

4. Daily energies report for the period from 19/06/2024 to 06/09/ 2024 (87 days) As per the information from M/s EESL only 87 days data is retrievable from the meter so the data for rest of the period is not made available.

5. Tamper data report.

6. Load survey report (for the period from 17/08/2024 to 06/09/2024) will be shown at the time of physical hearing.



Further the copy of mail correspondence from M/s EESL, the manufacturer GENUS and the department is enclosed as per which there is no issue from the meter side. This is for favour of kind information and further action please."

The Respondent/Licensee (ED) has submitted the copy of complaint letter of the complainant, Meter testing report, meter reading record, SD and wiring report of the consumer, monthly consumption, load pattern and peak demand data and EESL report which includes billing data, daily energies report, tamper data report etc, which is kept in the case file **(Exbt. -2)**.

Submission of the Complainant

The complainant, Mr. Kathiresan, raised concerns regarding an abnormally high electricity bill for a particular month. He attended the hearing on 10th September 2024 to seek clarification and resolution from the electricity department. His primary complaint was about the unusually high consumption reflected in the bill, which did not align with the typical usage of the house, especially as his tenants does not reside due to frequent traveling to other island in connection with his work.

Submission of the Respondent (Licensee)

The Junior Engineer (JE) from Bambooflat, representing the electricity department (ED), confirmed that the energy meter was functioning correctly. The respondent suggested that the abnormal consumption could be due to various factors, such as the use of high-energy-consuming appliances (like induction stoves), potential theft of energy through plug points, or other issues. Additionally, the respondent submitted a report from Energy Efficiency Services Limited (EESL), which revealed that there had been earth leakage from 25th May to 6th August 2024, contributing to the abnormal billing.

Forum's Observation

Shri. Kathiresan, the Complainant, stated that in the month of May and June 2024, excess billing was recorded, which was unusually high and inconsistent with the consumption history. The Complainant mentioned that his tenant had not used any high-consumption electrical equipment that would justify the elevated usage. He further emphasized that such levels of consumption had never been reached before in the consumption pattern of the premises.

The Respondent stated that a parallel meter was installed to check the accuracy of the main meter, and it was found that the main meter was functioning correctly.

As per the Energy Efficiency Services Limited (EESL) report, an event was recorded from May 25, 2024, to August 6, 2024, showing 910.3 kWh of earth leakage. Also, a reverse current of 897.7 kWh was observed in May and June 2024, suggesting abnormal consumption patterns. The Respondent (ED) sought one week's time to obtain further clarification from EESL regarding the above



issues and reported back vide letter no. EL/AE/FG/3-20/2024-25/287 dated 19/09/2024.

The Forum observed that the Complainant's consumption pattern over the past few years indicates negligible usage, which raises doubts about the sudden spike in consumption. The report from the Respondent (ED) and EESL indicates earth leakage of 910.3 kWh from 25th May 2024 to 6th August 2024, and a reverse current of 897.7 kWh in May and June 2024. There is no evidence of meter tampering provided by the electricity department in its report.

During the site inspection, the Forum observed that the house had a maximum connected load of 1 KVA, and there were no tenants or occupants present at that time. The wiring in the house appeared to be old, which likely caused the earth leakage. The Forum also noted that EESL, as per its master agreement with the electricity department, failed to inform either to the Electricity department or to the Consumer about the events recorded in the meter, in a timely manner. This abnormal consumption due to leakages could have been avoided if it is timely intimated to the consumer either by Electricity Department or EESL as per master agreement and the loss of high-cost power could have been saved. The spike in billing appears to be linked to the above technical issues, including earth leakage and reverse current, rather than any fault of the consumer.

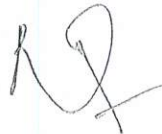
The Forum has come to the conclusion that the abnormal billing amount charged to the Consumer due to earth leakage and reverse current must be recovered from EESL as per master agreement and give relief to the consumer.

Hence,

It is Ordered:

After detailed deliberations, submissions and documents produced before the Forum, and on the basis of the observation so reached, the following Order is passed: -

1. The Suo motu case dated 22-08-2024 is hereby closed with specific directions to the Respondent/Licensee (ED) for compliance.
2. The Respondent/Licensee (ED) is directed to recover the amount contributed due to the earth leakage and reverse current from EESL as per the master agreement and give relief to the consumer in connection with the excess bills for the month of May and June 2024.
3. The Respondent/Licensee (ED) is directed to revise the bill for the month of May and June 2024 of the consumer bearing consumer no. R/3078 as per the actual consumption after adjusting the consumption due to the earth leakage and reverse current and the same may be issued to the consumer for early payment.
4. The Respondent (ED) is directed to ensure that in future all the events recorded in meters affecting badly to the consumer may be monitored and



reported by EESL in the timeline prescribed as per the Master Agreement dated 16.12.2019 between the Licensee (ED) and the EESL.

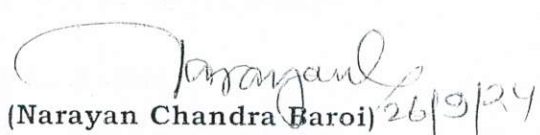
5. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this Order as per JERC Regulation No. 31/2024 under Clause 30(1) & (2). **Further, from Sl. No. 2 & 4 of the above said directions compliance should be provide with supporting documents, if any.**
6. As per JERC Regulation No. 31/2024 under Chapter-III of 30, non-compliance of the Forum Order shall be treated as violation of the Regulations of the Commission and accordingly liable for action under Section 142 of the Electricity Act 2003.
7. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right by availing the redressal within his jurisdiction.

"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 prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot No. 55-56, Service Road, Udyog Vihar, Phase-IV, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684708, E-mail : ombudsman.jercuts@gov.in **within one month from the date of receipt of this order**".

[Annexure - IV Appeal Form can be collected from the office of the Forum on any of the working days].

A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (SAD), Nodal Officer (CGRF), Assistant Engineer (F/Gunj), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).


(Biji Thomas)
Independent Member
Electricity CGRF


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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