

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
PORT BLAIR

Before :

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

In the matter of :

Shri. P. K. Abdul Aziz, S/o Shri. P. K. Hamza, Ograbraj, South Andaman.

.....Complainant

Versus

The Electricity Department, A & N Administration, Port Blair.

.....Respondent

Complaint No. : ANI/CGRF/311/23-24/43 dated 27/12/2023.
Complaint : Excess Billing bearing Consumer No. T2/2044 (Commercial)
Date of Hearing : 18/01/2024
Date of Order : 29/04/2024

ORDER

Background

The complainant Shri. P. K. Abdul Aziz, S/o Shri. P. K. Hamza, Ograbraj, South Andaman filed a complaint vide R.D. No. 358 dated 27/12/2023 regarding excess billing bearing Consumer No. T2/2044 (Commercial).

The complaint was forwarded on 01/01/2024 to the Assistant Engineer (Workshop), Nodal Officer for CGRF, Executive Engineer(SAD), Assistant Engineer-IV, Electricity Department who represents the Respondent/Licensee(ED) for submitting reply/comments and for attending the Hearing fixed on 18/01/2024 at 10:30 a.m. in the Hearing Hall of the Electricity CGRF, A&N Islands, Horticulture Road, Haddo, Port Blair with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 18/01/2024 at 10.30 a.m.

The Respondent on behalf of Licensee (ED) i.e. Assistant Engineer(Workshop), Electricity Department filed his reply/para-wise comments vide letter No. EL/AE/CD/3-21/2023/1247 dated 16/01/2024, which was received by the Forum on 16/01/2024, which is kept in case file (Exbt.-1).





Hearing on 18/01/2024

The Hearing was held on 18/01/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. P.K. Abdul Aziz, Complainant.
- (ii) Shri. Suresh Kumar, AE(W/shop), NO (CGRF), Elect. Dept.
- (iii) Shri. J. Jaya Kumar, AE (C/D), Elect. Dept.
- (iv) Shri. Rahul Rai, JE (O/B), Elect. Dept.
- (v) Shri. A. Venkateswar Rao, LMMR, Elect. Dept.

Statement of the Complainant

Complainant Shri. P.K. Abdul Aziz stated in his complaint letter dated 26/12/2023 stated that *"the excess billing for the commercial electricity connection with consumer number T2/2044, registered in the name of K. Muhammad Ali, residing at Hobdypur, Tushnabad. The room, sublet to me for running a micro-small shop has been under my occupancy for the past two years. I have been facing this issue from March 2023 to August 2023.*

Despite making a formal request to the Assistant Engineer of the Electricity Department in the Chouldhari division, I have not received any response on the matter. This lack of communication has left me with no alternative but to seek your intervention in this matter.

The commercial meter installed in my small room is associated with minimal electrical equipment. Therefore, I am perplexed and troubled by the consistently high monthly bills ranging from 4,000 to 5,000. Given the modest nature of the electrical consumption in the premises, such exorbitant charges appear to be unjustifiable and, in my opinion, indicate an error in the billing process.

I kindly request the Consumer Grievances Redressal Forum to conduct a thorough investigation into the matter and take the necessary steps to rectify the excessive billing issue promptly, and I am hopeful that your esteemed forum can provide a fair and unbiased resolution to this matter.

Enclosed with this letter are copies of my bills for the concerned months. I trust that your intervention will lead to a swift resolution of this matter, and I appreciate your attention to my grievance.

Your prompt attention to this matter is crucial as the financial burden caused by these inflated bills is becoming increasingly challenging to bear".

The complainant submitted electricity Urja Pay online bill which is kept in the case file (Exbt.-2).



Reply of the Respondent/Licensee (ED)

The Assistant Engineer-IV (CD), Electricity Department on behalf of the Respondent/ Licensee(ED) in his written submission vide letter No. EL/AE/CD/3-21/2023/1247 dated 16/01/2024 has stated that "the complaint raised by the consumer Shri PK Abdul Aziz R/o Ograbraj vide consumer No T2/2044 Commercial 1 has been received and was forwarded to JE Ograbraj to submit a detailed report. The Junior Engineer has inspected and reported details of observation which is listed below for kind perusal of the forum:

1. A Complaint was received by this office on 09/08/2023 regarding high energy bill. The Assistant Engineer, Chouldari directed JE Ograbraj to check the meter and report the submit a report.(Copy enclosed)
2. An Inspection was carried out at consumer premises by the JE (OB) and to check the correctness of smart meter a check meter was installed with GP No 7409367 on 11/09/2023. The reading was recorded for 7 consecutive days.
3. The reading was noted and it was found that both meters unit consumption was same i.e. 12 units for 7 days. So the error in energy meter is ruled out. (copy enclosed)
4. The Wiring and earthing of the consumer was also checked by the JE(OB) on 19/08/2023 and it was observed that the neutral was common with another meter T2/2043.
5. The JE (OB) directed the consumer to separate the neutral following, which the Consumer separated the neutral connections.
6. After Separating the neutral connection, the reading of the consumer received from EESL for the month of September 2023 was 67 units which was earlier to be 392, 387, 3 18 for the months of June, July and August respectively.
7. On receiving complaint again by CGRF, JE (OB) was directed to again Inspect the premises. JE (OB) informed that the meter reading was checked through Meter reader and found that present reading of the consumer is 3984 as on date, no error was found in meter reading
8. The sanctioned load of the consumer is 1 KVA.
9. The present connected load of the consumer is 2.127KW.
10. The present GP No of the consumer smart meter is GP 7355169



11. The earthing, wiring and neutral connections were checked and was found OK.
12. To check the correctness of the meter again a check meter was installed on 10/01/2024 in the consumer premises with GP No 7409367.
13. The reading was noted on 13/01/2024 and it was found that both meters unit consumption was same i.e. 6 units for 4 days. So the error in energy meter is ruled out. (copy enclosed)
14. This office has requested EESL to provide detailed report of the meter but till now the report has not been received from their end. (Copy of email).
15. The online reading of the meter from January 2022 to till date is enclosed.
16. The copy of meter reading book from January 2022 to till date is enclosed.
17. The copy of consumer ledger is also enclosed from January 2022 to till date. This is for your kind information of the Hon'ble forum please".

The Respondent/Licensee(ED) has submitted meter testing report with check meter, consumer ledger, EESL report and meter reading book copies, which is kept in the case file (Exbt.-3).

Submission of the Complainant

The complainant Shri. P.K. Abdul Aziz submitted that he was running a micro small shop for the last two years in which only 01 Nos. Fridge and 2 Nos. Tube Light Fittings are available. He had complained to the electricity department officials about the higher bills from March 2023 to August 2023 and no action was taken on my complaint.

Submission of the Respondent (Licensee)

The AE-IV on behalf of the Respondent/Licensee (ED) stated that a check meter was installed along with the original smart meter to check the accuracy on 11/09/2023 and no difference was found for seven consecutive days. Further, he submitted that the wiring and earthing was checked on 19.08.2023 and it was observed that neutral was common with another meter T2/2043. The sanctioned load of the consumer is 01 KVA and the present connected load was found as 2.127 KW.



Forum's Observation

As per the report of AE Chouldhari dated 13/01/2024, it stated that on 09/08/2023, a complaint was received at site office regarding high energy bill. Accordingly, the Respondent, AE (Chouldhari) directed JE, Ograbraj to check and submit a report. As per the direction, JE, Ograbraj inspected the consumer premises and installed a check meter on 11/09/2023 for accuracy test. The readings were recorded for seven consecutive days and it was noted that both meters during consumption were same. So, the error in the meter is ruled out. The wiring and earthing of the consumer was checked on 19/08/2023 and it was observed that neutral was common with another meter T2/2043. The JE (Ograbraj) directed the consumer to separate the neutral wiring and replace old wiring of the premises with new. Accordingly, the complainant changed the wiring of neutral connection.

The Forum directed the Respondent/Licensee (ED) to submit EESL reading recorded in the smart meter and consumer ledger of the complainant vide letter dated 01/01/2024 and the same has not been submitted yet. The Forum is unable to find out the actual consumption readings recorded in the smart meter and the same was hidden by the Respondent(ED), however, the smart meter is ok during accuracy test with check meter.

The consumer has liberty to approach for special reading with meter test under Clause 6.30 of JERC Regulation No. 23/2018 read as ***"If the consumer desires to have a special reading taken, the same shall be arranged by the Licensee and the charge, as approved by the Commission shall be included in the next bill of the consumer"***.

The Forum found that as per the electricity bill presented by the complainant before the Forum, the bill payment is pending from March 2023 to October 2023, which is in violation of JERC Regulation No. 23/2018. The complainant is directed to pay all the dues on time otherwise the supply will be disconnected accordingly.

The Forum observed that the Respondent/Licensee (ED) failed to serve timely notice against defaulters of electricity bills, which is in violation of JERC Regulation No. 23/2018.

The AE (C/D) in his statement stated that in the month of August 2023, a complaint was received and accordingly, the department put the parallel meter for checking the existing meter and found Ok. Thereafter, the consumer changed the old wiring in the wooden building, and department also separated the common neutral wire by individual, and the consumption reduced drastically. Now the Forum is in the opinion that the excess billing was done due to leakages of old wiring which was done nearly 20 years back. Hence, all are set right. The case may be closed without any merit.



However, the reading for the month of September 2023 was 67 units only, instead of 392, 387 and 380 units for the month of June, July, and August 2023, respectively. The consumer/complainant is also satisfied with the present reading of the meter. The JE, Ograbraj once again tested the accuracy of the meter on 30.01.2024, and it was found that both meters are showing same consumption. The error in the energy meter is ruled out. Now, the Forum is in the opinion that the excess billing was done due to leakages of old wiring, which was done nearly 20 years back.

Accordingly, considering the safety aspect, the consumer has been suggested to provide ELCB or RCCB in the circuit of the internal wiring and to avoid accidents/current leakage.

Thus, this Forum has come to the conclusion, that the complainant is satisfied with their decisions and amicable settled outside the Forum, hence, the case is closed without any merits and with specific direction to the Respondent/Licensee (ED) and the complainant consumer, which is particularly noted in this instant case.

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 Case No. 311 is hereby closed with specific direction to the Respondent/Licensee (ED) and the complainant consumer.
2. The Respondent/Licensee(ED) is directed to conduct a drive to update the connected load of the consumer by giving a definite time period for self disclosure by the consumer or to update the connected load by field staff on war foot basis, as connected load are increased by many consumers without information of the Licensee (ED), which also results in revenue loss to the Government in terms of collection, as fixed charges are calculated on the basis of connected load.
3. The complainant/consumer is directed to pay all the pending electricity bills bearing Consumer No. T2/2044 (Commercial) within 7 days positively, or else the supply will be disconnected as per JERC Regulation No. 23/2018.
4. The Respondent/Licensee(ED) is directed to insist the consumer for installation of ELCB or RCCB for considering the safety aspect in the circuit of the internal wiring and to avoid accidents/current leakage.



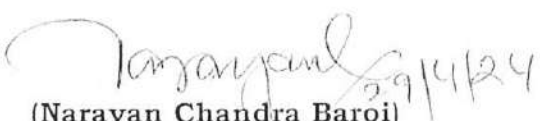
5. The Respondent/Licensee (ED) failed to serve notice due to default in payment by the consumer, which shows negligence on the part of the Respondent/Licensee, which is a violation of JERC Regulation No. 23/2018.
6. The complainant has liberty to approach special reading if require against his complaint as per JERC Regulation No. 23/2018 under Clause 6.30.
7. 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. 26/2019 under Clause 27(1).
8. As per JERC Regulation No. 26/2019 under Chapter-IV of 27, 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.
9. 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-IV (CD), 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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