

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 :

Smti Afsa, W/o Late V. Moidu, R/o Chouldari, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/CGRF/307/23-24/39 dated 07/12/2023.
Complaint : Excess Billing bearing Consumer No. V1/1375 (Domestic)
Date of Hearing : 18/01/2024
Date of Order : 28/04/2024

ORDER

Background

The complainant Smti Afsa, W/o Late V. Moidu, R/o Chouldari, South Andaman filed a complaint vide R.D. No. 318 dated 07/12/2023 regarding excess billing bearing Consumer No. V1/1375 (Domestic).

The complaint was forwarded on 07/12/2023 to the Assistant Engineer (W/shop), Nodal Officer (CGRF), Executive Engineer(SAD), Asst. Engineer-IV, Electricity Department who represents the Respondent/ Licensee(ED) for submitting reply/comments. On non-receipt of reply, the Respondent was issued letter once again on 02/01/2024, directing him to submit reply/comments and for attending the Hearing fixed on 18/01/2024 at 11:30 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 11.30 a.m.

The Respondent on behalf of Licensee (ED) i.e. Assistant Engineer (W/shop), Electricity Department filed his reply/comments vide letter No. EL/AE(W/shop)/2-16/2023-24/280 dated 19/12/2023 with enclosures, which was received by the Forum on 22/12/2023, 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 11:30 a.m. The following were present: -

- (i) Shri. Suresh Kumar, AE(W/shop), NO (CGRF), Elect. Dept.
- (ii) Shri. J. Jaya Kumar, AE (C/D), Elect. Dept.
- (iii) Shri. Mohammed Yunus, MRLCC

The Complainant Smti. Afsa is absent during the Hearing.

Statement of the Complainant

Complainant Smti. Afsa stated in her complaint letter dated 07/12/2023 that "I, Smti Afsa w/o Late V.Moidu a permanent resident of village Chouldari is one of the bonfide consumers of electric energy being used for domestic uses. The consumer number of power connection provided to my house is VI/I375 [domestic(ph)] at Chouldari. The energy connection is under use since decades and under no circumstances or occasions abnormal bills were charged from me for consumptions of electric energy so far. But unfortunately, all of a sudden the billing amount has been incensed from February, 2023 onwards at the double comparatively the earlier months (Copy of statement of my account obtained from the CSC Chouldari is enclosed). It may kindly be seen from the statement that billing amount from the bill dated 03.02.2023 to 06.11.2023 is abnormal. The connected load to the house is one and the same which it previously was. In no way the consumption of energy was augmented by utilizing additional or new heavy eclectic appliances from January, 2023 onwards. This being the facts I could not understand the reason why the consumption was so increased all of a sudden from January, 2023. The electric meter provided to the house has not been replaced or the internal electrification has also not been changed/renewed prior to January, 2023. Immediately after noticing the abnormal billings it was reported to the Assistant Engineer (Electricity) Chouldari sub-division and the receipt of my complaint was acknowledged by the office concerned vide R.D.No.5804 dated 20.02.2023. Despite submitting the written report/complaint I personally met the Junior Engineer and requested to reexamine the case of excess billing, and if required the electric meter may be replaced. But it appears that no action has so far been taken by the competent authority. On the other hand the abnormal billing is still continued. Being a widow living with limited income of family pension it is difficult to make the payments of electric energy bills for the units of power which actually not consumed by me.

It is, therefore, to request that kindly examine this case and action deem fit may be initiated at your end to revise all the abnormal energy bills referred to above, and direct the competent officials/authority to charge the actual bills please".

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, Electricity Department on behalf of the Respondent/ Licensee(ED) in his written submission vide letter No. EL/AE/CD/3-21/2023/1185 dated 18/12/2023 has stated that "the consumer Smti Afsa R/o Chouldhari vide consumer No V1/1375 Domestic has been received and was forwarded to JE Chouldari to submit report. The Junior Engineer has inspected and reported details of observation which is listed below for kind perusal of the forum: -

1. The consumer filed complaint regarding excess billing.
2. After receiving complaint JE (C/Dari) inspected the consumer premises and reading was checked and found that present reading of the consumer is 9523 as On date, no error was found in meter reading.
3. The sanctioned load of the consumer is 5 KVA
4. The present GP No of the consumer smart meter is GP 7376476
5. The earthing, wiring and neutral connections were checked and was found OK.
6. To check the correctness of the meter JE (C/Daril) installed a check meter on 15/12/ 2023 in the consumer premises with GP No 7416292.
7. The reading was noted on 18/ 12/2023 and it was found that both meters unit consumption was same i.e. 17 units for 3 days. So the error in energy meter is ruled out. (copy enclosed).
8. JE (Chouldari) 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)
9. The online reading of the meter from January 2022 to till date is enclosed.
10. The copy of meter reading book from January 2022 to till date is enclosed.
11. 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 photocopies of the documents as stated above, which is kept in the case file **(Exbt.-3)**.

Submission of the Respondent (Licensee)

The AE (C/D) 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 15/12/2023 and no difference was found till 18/12/2023.



Further, he submitted that a site inspection was conducted in which the connected load was found as 05 KVA and the neutral and earthing connections were found Ok.

Forum's Observation

The Forum observed that the complainant was absent from the Hearing. However, the Forum going through the complainants complaint wherein it was stated that "the billing amount seems abnormal from February 2023 to November 2023. The connected load of the complainant house is one and the same and no additional heavy electric appliances added to the premises from January 2023". The Respondent/Licensee (ED) in his reply stated that "the J.E (Chouldhari) inspected the consumer premises and checked the meter reading and found that there is no error with the reading of the consumer. The sanctioned load of the consumer is 5 KVA as per records. The earthing, wiring, and neutral connections were checked and found OK. To check the accuracy of the meter, a parallel check meter was connected on 15-12-2023 in the consumer premises, and the reading was noted on 18-12-2023 and found that both the meter's unit consumption was same i.e. 17 units for 3 days. So, the error in the energy meter is ruled out".

The Forum further observed that the bill payments are pending from July 2023 onwards due to abnormal billing, and the forum verified the payment history of the consumer and seems that the payments are made with late fee by the consumer from time to time. The Forum directs the consumer to clear all dues on time, and if any doubt on the accuracy of the meter and he 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"***.

On 13/12/2023, the Forum visited the complainant premises and found the wiring and neutral is as per norms. However, the Respondent(ED) verified the accuracy of the meter, earthing, and neutral connections, and was found OK. Hence, the claim of the consumer regarding excess bill ruled out.

The Forum also hereby directs the Respondent/Licensee (ED) to explore the possibility of remote disconnection facility available on the smart meter to be enabled on urgent basis in consultation with EESL for the timely disconnection of defaulted consumers.

The Forum has come to the conclusion that the smart meter is functioning 'ok' during accuracy test alongwith EESL reading recorded in the smart meter. Therefore, the claim of the complainant consumer against excess billing ruled out and accordingly the complaint No. 307 is closed without any merit.



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. 307 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 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.
4. The complainant/consumer is directed to pay all the pending electricity bills bearing Consumer No. V1/1375 (Domestic) within 7 days positively, or else the supply will be disconnected as per JERC Regulation No. 23/2018.
5. The complainant has liberty to approach special reading if require against his complaint as per JERC Regulation No. 23/2018 under Clause 6.30.
6. 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).
7. 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.
8. 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.

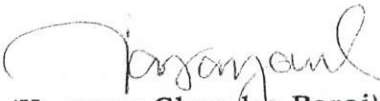


"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot 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, 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) 26/4/2024
Member (Licensee)
Electricity CGRF


(R. Ravichandrar) 26/4/24
Chairman
Electricity CGRF