

**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. Ashok Moorthy, R/o Teylerabad, Port Blair.

**.....Complainant**

**Versus**

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

**.....Respondent**

**Complaint No.** : ANI/CGRF/327/24-25/04 dated 08/05/2024.  
**Complaint** : Excess Billing bearing Consumer No. L3/1587, L3/1586, L3/266, L3/1588 & L3/1496 (Domestic)  
**Date of Hearing** : 24/05/2024 & 29/05/2024  
**Date of Order** : 07/06/2024

**ORDER**

**Background**

The complainant Shri. Ashok Moorthy, R/o Teylerabad, Port Blair filed a complaint vide R.D. No. 545 dated 08/05/2024 regarding excess billing bearing Consumer No. L3/1587, L3/1586, L3/266, L3/1588 & L3/1496 (Domestic).

The complaint was forwarded on 08/05/2024 to the Assistant Engineer (Workshop), Nodal Officer for CGRF, Executive Engineer(SAD), Assistant Engineer-IV (Chouldhari), Electricity Department who represents the Respondent/Licensee(ED) for submitting reply/comments and for attending the Hearing fixed on 24/05/2024 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 24/05/2024 at 10.30 a.m.

The Respondent on behalf of Licensee (ED) i.e., Assistant Engineer (Workshop), Electricity Department filed his letter No. EL/AE/CD/3-21/2024/72 dated 20/05/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum on 21/05/2024, which is kept in case file (*Exbt. -1*).



The complainant attended the hearing and stated that the two meters were not working L3/1496 (3 phase) and L3/1587 (1 phase) from 4/2023 and 7/2023 respectively and the other meters having abnormal billing to be rectified. Since the department representatives had not attended the hearing due to urgent maintenance work, the same was also not informed by the respondents in time. Hence, the Forum decided to postpone the hearing on 29/05/2024 at 11:30 a.m., in view of the present bad weather in the city area for which the electricity officials could not attend the hearing. Forum also observed that the respondents did not give any advance information regarding their absence and noted seriously.

#### **Hearing on 29/05/2024**

The Hearing which was scheduled to be held on 24/05/2024 was postponed and was rescheduled on 29/05/2024 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. Ashok Moorthy, Complainant.
- (ii) Smti. Sanas Kunwar, Assist. Complainant.
- (iii) Shri. Suresh Kumar, NO, AE (W/Shop), Elect. Dept.
- (iv) Shri. Suresh Lall, LMMR, Elect. Dept.

#### **Statement of the Complainant**

Complainant Shri. Ashok Moorthy stated in his complaint letter dated 08/05/2024 that *"I wish to inform that I am a senior citizen retired government servant, and I am an electricity consumer bearing consumer no. L3/1587, L3/1586, L3/266, L3/1588 and L3/1496 residing at Teylerabad, Port Blair.*

*I lodge a complaint against consumer numbers L3/1587, L3/1586, L3/266, L3/1588 and L3/1496 having abnormal billing with replacement of faulty meters at the nearest electricity site office i.e., AE-IV, Chouldhari site office and even after more than 2 months have passed, I have not received any response from the department till date.*

*In my complaint letter dated 01/03/2024, request was made for rectification of electricity bill before 11/03/2024 but no action has been taken verbally or officially.*

#### **Prayer**

1. *Struck/Defective meters bearing consumer no. L3/1587 and L3/1496 should be replaced immediately and the extra amount I paid can be adjusted in future bills.*
2. *Consumer number L3/1586, L3/266 and L3/1588 need to be checked against the over readings billed by the department at home for last more than 6 months without any change/alteration and whatever I have*





*consumed bills can be created and if excess amount has been paid maybe adjusted in future bills”.*

The complainant submitted electricity Urja Pay online e-bill, copy of the application submitted to AE-IV, 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/3-21/2024/72 dated 20/05/2024 has stated that “*the complaint raised by the consumer Shri Ashok Moorthy, R/o Teylerabad wide consumer number L3/1587,L3/1586, L3/266, L3/1588 and L3/1496 domestic has been received and was forwarded to JE Sippighat 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. *An inspection was carried out at consumer premises by the JE (SG) and to check the correctness of the smart meter.*
2. *The 02 (Two Nos) meter vide A/c No. L3/ 1587 is stop since 07/2023 and L3/1496 is stop since 04/2023*
3. *The Energy meter bill are generated to the consumer as average billing due to non-availability of smart meter at Sippighat site office.*
4. *Remaining 03 (Three no's meter vide A/c no. L3/1586, L3/266 and L3/1588)inspect the premises by JE(SG) the meter reading was checked through meter reader and found that present reading of the consumer is ok as on date, no error was found in meter reading”.*

The Respondent/Licensee (ED) has submitted the reply letter of JE (Sippighat), which is kept in the case file **(Exbt. -3)**.

**Submission of the Complainant**

The complainant attended the hearing and stated that two nos. energy meters are not working since long time and the Electricity department did not replace the same.

The complainant stated that for the meters L3/1586 and L3/1588, the tenants were not present in the house during February to April 2024, but the bills were issued in excess.

**Submission of the Respondent (Licensee)**

The AE on behalf of Respondent/ Licensee (ED) stated that the high billings are raised due to accumulation of readings in meter, which has been adjusted. Last year during the month of July, August 2023 onwards, there was a less consumption recorded, and the bills were prepared accordingly, thus,

being the cause of accumulation of units in the meter. Secondly, the defective smart meter will be replaced on receipt of smart meter from EESL.

### **Forum's Observation**

The Forum observed that the department representatives had not attended the hearing on 24/05/2024 due to urgent maintenance work, and the same was also not informed by the Respondents(ED) in time. Hence, the Forum decided to postpone the hearing on 29/05/2024 at 11:30 a.m., in view of the present bad weather in the city area for which the electricity officials could not attend the hearing.

The Forum also observed that the Respondents(ED) did not give any advance information regarding their absence and the same was noted by the Forum very seriously.

The complainant stated that for the meters L3/1586 and L3/1588, the tenants were not present in the house during February to April 2024, but the bills were issued in excess. But on the basis of meter reading ledger, it was noticed that both the meters were showing less reading during month of 01/2023 to 11/2023 and 07/2023 to 11/2023 respectively.

The Forum examined the consumer ledger submitted by the Respondent(ED) and noted that the consumption recorded in the consumer ledger L3/1586 from 4/2023 to 11/2023 in the range of 29 units to 44 units only. But the complainant also admitted that the tenant was available during these periods. Hence, the Forum assumes that the meter reader was not recorded properly the monthly actual unit consumption which resulted in accumulation of units and the same was reflected in the fourth coming monthly bills when the tenant was not available in the house. The Forum also directs the Respondent(ED) to provide proper training to the meter readers and conduct surprise checking by the competent authority as per the departmental norms to avoid negligence by the field staff which averts further any litigation. During the site inspection by the Forum, it was noticed that a 3-phase connection bearing consumer no. L3/1496 having a connected load of 22 KW, was stuck up during 4/2023 was not replaced in time by the Respondent(ED) and was billing on average basis (263 units), and continuing for an year and more, which may cause loss of revenue to the department. The Forum also noticed that the meters are not place as per standard heights causing difficulty to read by any common person thus the Forum directs the Respondent(ED) to install meters in future as per the standard height and suitable location for easy access for all the concerned.

Forum directed the Respondent(ED) to convince the consumer by providing the necessary documents regarding the excess billing on consumer nos. L3/1586 & L3/1588. However, the consumer No. L3/266 meter have not any issue by the Complainant.





Thus, the Forum has concluded, that both parties are satisfied with their decisions and hence, the case is closed 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. 327 is hereby closed with specific direction to the Respondent/Licensee (ED) and the complainant consumer.
2. The Respondent/Licensee (ED) is directed to immediately replace the defective meter immediately against the Consumer No. L3/1587 & L3/1496 as per the JERC Regulation No. 23/2018 under Clause 6.47 against replacement of meters, which has not done in this instant case.
3. The Respondent/Licensee (ED) is directed to convince the consumer by providing necessary documents regarding the excess billing on Consumer Nos. L3/1586 & L3/1588.
4. The Respondent/Licensee (ED) is directed to take appropriate step immediately as per JERC Regulation No. 23/2018 under Clause 8.8 against **any irregularity noticed** in any smart meter and inform to the consumer accordingly, which has not done in this instant case.
5. The Respondent/Licensee (ED) is directed to install meters as per standard height and suitable location for easy access to the authorized person.
6. The Respondent/Licensee (ED) is directed to issue proper training to the meter readers and conduct surprise checking by the competent authority as per the departmental norms to avoid negligence by the field staff which averts further any litigation.
7. The Respondent/Licensee (ED) had failed to give any advance information regarding their absence in the hearing, due to which the Hearing got postponed and the same is seriously noted and warned once again not to repeat this in future complaints.
8. The Respondent/Licensee (ED) is directed to follow the JERC Regulation No. 06/2009 (SOP) on receiving complaints from consumers as per norms/guidelines against excess billing, smart



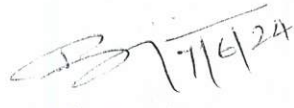
meter related complaints etc., which is not done in this instant case.

9. 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). **Further, from Sl. No. 2 & 8 of the above said directions of compliance should be provided with supporting documents, if any.**
10. 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.
11. 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.

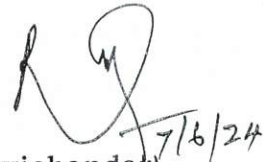
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3<sup>rd</sup> Floor, 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(Chouldhari), 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. Ravichandrar)  
Chairman  
Electricity CGRF

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