

BEFORE THE ELECTRICITY OMBUDSMAN
(For the State of Goa and Union Territories)
Under Section 42 (6) of the Electricity Act, 2003
3rd Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18,
Gurugram (Haryana) 122015,
Phone No.:0124-4684708, Email ID: ombudsman.jercuts@gov.in

Appeal No.149 of 2021

Date of Order: 22.09.2021

Shri Surya Narayan,
Andaman & Nicobar Islands
Port Blair

.... Appellant

Versus

The Superintending Engineer cum HOD,
Electricity Department,
Andaman & Nicobar Islands
Port Blair and others

.... Respondents

Date of Order: 22.09.2021

The Appellant has preferred an Appeal for Non-passing of order by Ld. CGRF- Andaman & Nicobar Islands within prescribed time limit. The appeal/representation received in this office on 09.08.2021 by post and the same was admitted for examination and consideration on 10.08.2021. Copy of the same as received was forwarded to the respondents with a direction to endeavour to settle the representation through mutual agreement within 10 days. In case no settlement is achieved through mutual agreement, respondents should file the affidavit of counter reply in the required format, to the appeal/representation within 20 days from the date of Admission Notice.



(A) Submissions by the Appellant:

Appellant submitted the brief facts as under: -

1. **FACTS OF THE CASE: -**

- (i) Appellant submitted that he has approached the Ld. CGRF on 20.04.2021 regarding his complaint for excess billing. He had received excess bill for Rs.1,840/- for the month of March,2021 and Rs.2,126/- for the month of February,2021. Earlier, he used to get the bills for less than Rs.500/-. He is using two tube light and two bulbs in a small house and now amount boost upto three times. Since no action was taken to dispose of the representation by Ld. CGRF-A&N, in prescribed period, therefore he has appealed to the Electricity Ombudsman for non-redressal of his grievance by the Ld. CGRF.

(B) Submissions by the Respondents: -

Respondents did not file any counter reply despite notice.

(C) CGRF- Andaman & Nicobar Islands's Order preferred for Appeal:

Learned CGRF has not passed any order within the prescribed time limit as per CGRF and Ombudsman Regulations -2019 as notified by Hon'ble Joint Electricity Regulatory Commission.



(D) **Analysis and Decision: -**

- (i) The Appellant vide email dated-20.09.2021 has requested as under: -

To	20.09.2021
The Electricity Ombudsman Gurugram, Haryana	
Sub: Withdrawal of Appeal/Representation filed in the office of Electricity Ombudsman vide Appeal no.149 of 2021 against CGRF, A&N Electricity Department-reg.	
Sir,	
<p>I, Surya Narayan R/o Prem Nagar, Port Blair filed a representative in the office of Electricity Ombudsman vide Appeal no.149 of 2021. Now I intent to withdraw the above representation with the reason that I had not approached the official of Electricity Department for my grievance earlier. First time my son Shri Vasu Dev met with official of Electricity Department on 10.09.2021 at 10:30 hrs. in the chamber of Executive Engineer (HQ), Electricity Department to settle the issue. The officer of Electricity department had cleared all the doubt and settle the issue. Now I had no grievance against the electricity department.</p>	
Hence the above representation may please be treated as cancel. Sorry for the inconvenience.	
Thanking You,	
Sd/-	Sd/-
(Shri Vasu Dev)	(Shri Surya Narayan)
s/o Shri Surya Narayan Blair	r/o Prem Nagar, port

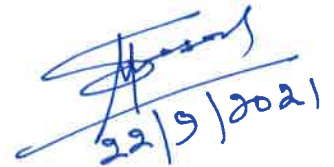
- (ii) I have perused the documents on records. Both the parties have mutually agreed to reconcile the issue and Appellant has confirmed that officers of the Electricity Department have cleared all the doubts and settle the issue on 10.09.2021 and now he had no grievance against the Electricity Department.
- (iii) However, it has come to the notice of this authority that there is only one nominated member presently posted in CGRF-A&N and Hon'ble member has not passed the order for want of quorum. This issue has already been decided on 14.12.2020 by this authority in Appeal No-130 of 2020 and relevant order is available on the website of Joint Electricity Regulatory Commission order under heading "office of the Ombudsman".



(iv) Hon'ble Regulatory Commission vide their letter no-JERC-RA-10/1/2020/190 dated-07.09.2021 has also directed that single member to dispose of pending grievances.

(E) DECISION

1. For the reasons discussed above, the appeal of the Appellant is dismissed as withdrawn.
2. The Electricity Department/Licensee is directed to fill up the vacancies of Chairman and Member of CGRF –Goa within a period of **Two months** from the date of the issue of this order by email.
3. Hon'ble Independent/Nominated Member of CGRF-Goa is directed to dispose of all pending complaints, independently to avoid further harassment to consumers till the other Member/Members is/are appointed.
4. In case, the Appellant or the Respondents are not satisfied with the above decision, they are at liberty to seek appropriate remedy against this order from the appropriate bodies in accordance with Regulation 37(7) of the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2019.
5. The Electricity Department/Licensee should submit a compliance report to the office of Ombudsman on the action taken in this regard within **Two months** from the date of issue of this order by email.
6. Non-compliance of the orders of the Ombudsman by the Electricity Department/Licensee shall be deemed to be a violation of Regulations and shall be liable for appropriate action by the Hon'ble Commission under the provisions of the Electricity Act, 2003.
7. The appeal is disposed of accordingly.



(M.P. Singh Wasal)

Electricity Ombudsman

For Goa & UTs (except Delhi)

Dated: 22.09.2021