

**BEFORE THE ELECTRICITY OMBUDSMAN**  
(For the State of Goa and Union Territories)  
Under Section 42 (6) of the Electricity Act, 2003  
3<sup>rd</sup> 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.135 of 2020

Date of order : 05.01.2021

Er.O.P.Singla  
Chandigarh

....Appellant

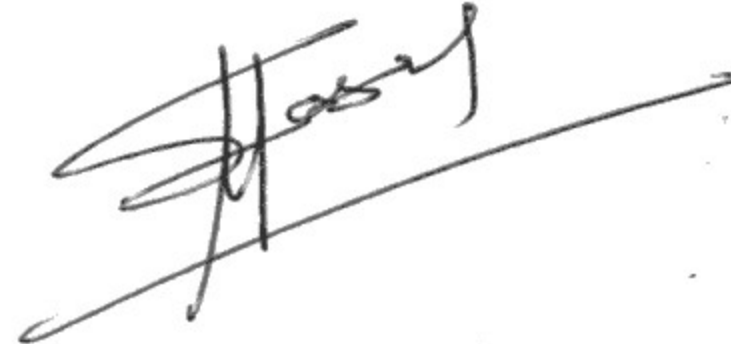
**Versus**

The Superintending Engineer,  
Electricity Department,  
Chandigarh and others

....Respondents

Date of Order: 05.01.2021

The Appellant has preferred an Appeal against the order of the Hon'ble CGRF, Chandigarh in C.C. No.-B-96/2020 dated -25.09.2020. The appeal/representation received in this office on 20.11.2020 by email and the same was not admitted as it was not filed properly in prescribed Annexure-IV and 1/3<sup>rd</sup> of the disputed amount was not deposited. Appellant resubmitted the same on 28.11.2020 through email and the same has been admitted for examination and consideration on 30.11.2020. 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 dated 30.11.2020. A reminder was issued on 24.12.2020.



**(A) Submissions by the Appellant:**

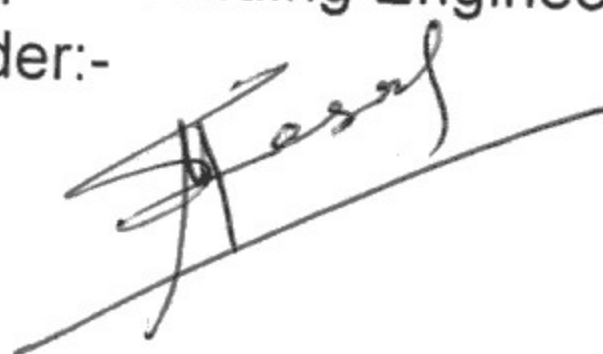
Appellant submitted the brief facts as under:-

**FACTS OF THE CASE**

- i. The electricity bill dated 26/02/2019 for the bill cycle 01/2 included sundry charges amounting to Rs. 35,131/-
- ii. When contacted SDO Electy. 'OP' S/d No. 9 it was revealed that these charges pertain to the period 01/17 to date due to slow running meter and have been calculated on average basis.
- iii. No previous bill shows slow running of meter, no notice was received, neither the seal was broken nor the meter was got checked. So how the department assumed the slow running of meter.
- iv. Being a retired person I along with my wife usually go out of station/country off and on. During this period, I was away to US for 6 months from June to November 2017.
- v. During November 2019 the meter suddenly stopped working and the department changed the meter in the month of December 2018 and the old meter SEAL INTACT was discontinued and carried to Sub Div. Store.
- vi. That as a pensioner and to pay Rs. 37209/- was not affordable so I requested the SDO to take payment in two installments subject to settlement of issue. He was kind enough and amended the amount to Rs. 15000/- which was paid on 13 March 2019.
- vii. I wrote a letter on 22 March 2019 to the SDO 'OP' S/d No. 9 along with relative documents to look into the matter and refund the illegal recovery being affected. Instead of refunding the money the department again levied Rs. 1487/- as late fee charges in the next bill dated 27 April 2019 for the bill cycle 02/2.
- viii. I requested to refund the above illegal amount so received along with interest.

**(B) Submissions by the Respondents :**

Executive Engineer Electricity "OP" Division No-4, Chandigarh, vide his email Dated-01.01.2021, on behalf of Superintending Engineer / Electricity Department, has submitted as under:-





In this connection, S.D.O. in-charge of Electricity Operation S/Div No. 9, UT Chandigarh has stated that the Appellant was informed vide Memo No-10346 dated-08/12/2020 that bill has been revised as per the orders of CGRF-Chandigarh dated-25.09.2020 and amount of Rs.32,239/- has been refunded out of the amount of Rs.35,131/- charged to the Appellant. The refund will be reflected in the next billing cycle. Accordingly the grievance of the applicant has been redressed by his office.

The Appellant vide email dated dated-31.12.2020 has confirmed the settlement as under:--

**Email**  
**31.12.2020**

Dear Sir

Reference:-SDO Electricity "OP" Sub Division No.-9, sector-43 Chandigarh Memo No-10346 dated-08/12/2020.

It is stated that I am satisfied with the reimbursement as allowed by SDO vide memo referred above. As such my representation may be treated as closed.

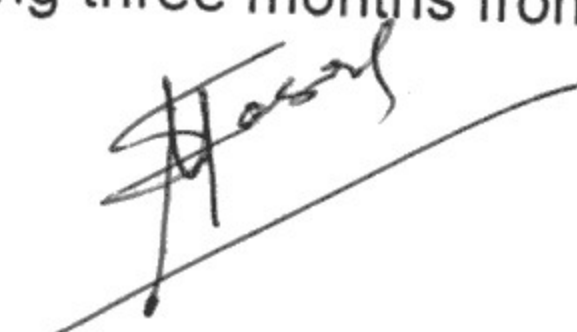
Thanking You,  
Regards

Er.O.P.Singla

(C) CGRF Chandigarh ,Order in C.C. No.-B-96/2020 dated-25.09.2020., preferred for Appeal:

Order

"3. The hearing in the case was fixed for 06.08.2020. The case was heard and adjourned for the next date of hearing. The next date of hearing was fixed for 24.09.2020. The case was heard in detail, the date provided by CED shows that meter became defective during billing cycle 07/18 to 09/18 and was replaced on 15.12.2018. So the account of the consumer should be overhauled for three months i.e. 07/18, 08/18 and 09/18 on the basis of higher of monthly consumption of corresponding months of the previous year and average monthly consumption of immediately preceding three months from the month of dead stop



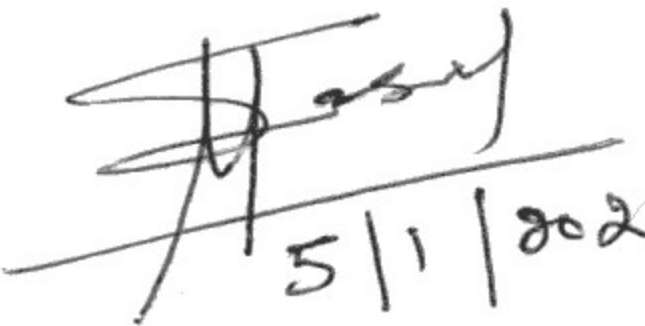
of meter i.e. 03/18, 04/18 and 05/18, in terms of Regulation 7.12 of Supply Code 2018.

**Decision**

4. The case is closed with above observation and directions.”

**( D ) ANALYSIS AND DECISION**

- (i) I have perused the documents on record . Both the parties have mutually agreed to reconcile the issue and Appellant has confirmed that he is satisfied and grievance has been redressed by the Electricity Department. Accordingly the appeal of the Appellant is allowed.
- (ii) The Electricity Department/Licensee is directed to adhere to their mutual reconciliation as stated above.
- (iii) 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.
- (iv) The Electricity Department/Licensee should submit a compliance report to the office of Ombudsman on the action taken in this regard within 15 days of the issuance of this Order by email.
- (v) 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 Commission under the provisions of the Electricity Act, 2003.
- (vi) The appeal is disposed of accordingly.



5/1/2021

(M.P. Singh Wasal)  
Electricity Ombudsman  
For Goa & UTs (except Delhi)

Dated 05.01.2021