

**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](mailto:ombudsman.jercuts@gov.in)**

**Appeal No.148 of 2021**

**Date of Video Conferencing: 07.10.2021**

**Date of Order: 11.10.2021**

Ms Vandana George,  
Andaman & Nicobar Islands  
Port Blair

**.... Appellant**

**Versus**

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

**.... Respondents**

**Parties present:**

**Appellant(s)**

1. Ms Vandana George  
Appellant

**Respondent(s)**

1. Shri Karuna Jaydhar- Executive Engineer
2. Shri Deepak Mondal- Assistant Engineer
3. Shri Suresh Kumar- Junior Engineer



**Date of Order: 11.10.2021**

The Appellant has preferred an Appeal against the Non- disposal of her grievance by Ld. CGRF- Andaman & Nicobar Islands within the 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. The counter reply was filed by Respondents and Applicant has filed the Rejoinder.

**Settlement by Mutual Agreement**

Both the parties appeared before the Electricity Ombudsman through Video Conferencing as scheduled on 07.10.2021 and were heard. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement mutually agreeable could be reached. The hearing therefore, continued to provide reasonable opportunity to both the parties to put forth their pleading on the matter.

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

**Appellant submitted the brief facts as under: -**

**1. FACTS OF THE CASE**

- (i) Appellant stated that she is a consumer of Electricity, residing at Dollygunj village and is having 4 domestic connections. She is facing Low voltage problem from the Electricity department. She reported to the Electricity Site Office at Dollygunj vide Complaint no. 104 dated 20.05. 2021. The stated problem inspite of lodging the complaint and several personal visits & telephonic calls have not been responded till date. The Licensee has failed to maintain the voltages as per Rule 54 of the Indian Electricity Rules 1956, resulting which ~~my~~ TV, Geysers, Laptop and five LED bulbs were damaged. She has personally measured the voltage with multimeter in the premises during day, evening and night hours and has found that the voltage is 180 volts to 190 volts. The earthing of my premises was also measured and found to be 9 ohms. Moreover, the Licensee has not provided earthing in accordance to Rule 33 of the Indian Electricity Rules 1956.
- (ii) I came to understand that a CGRF forum has been established to redress the grievances of Electricity consumers, but my complaint dated-25.5.2021, has neither been heard nor has been disposed of within stipulated time. Hence, I am approaching this court for redressal. She authorized her son Shri Prateek Behari, r/o Dollygunj to defend on her behalf.



(iii) She prayed for the following reliefs: -

1. To resolve the low voltage problem at her premises.
2. My agony may please be judged with suitable compensation.

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

Shri Karuna Jaydhar, Executive Engineer, on behalf of the Respondent/Electricity Department- A&NI, vide his email dated-06/9/2021 has submitted the counter reply as under: -

1. The appellant has lodged the complaint in the complaint register of Dollygunj Site office, Electricity Department on 20.05.2021, stating low voltage problem in her residence.
2. On receipt of the complaint, the Junior Engineer, Dollygunj site office, checked the power connection in the Meter terminal as well electric pole and taken all the required measures to resolve the low voltage problem in the residence of appellant. Also, checked the voltage at the consumer premises and found within limit, but dip in voltage was observed when switching ON of Air Conditioners.
3. In response, the appellant was advised to check the internal wiring system as the complaint of low voltage had found in individual premises of appellant t residence area.
4. The appellant has not informed any checks/rectification of internal wiring system of her residence.
5. In the meantime, on the basis above low voltage the Junior Engineer, Dollygunj site office, had also carried out system improvement by replacement of all LT line of weaker section with new Aerial Bunched cable line.
6. However, on receipt of the complaint from appellant Vandana George, the re-check of low voltage problem has been carried out on 15<sup>th</sup> Jun,2021, by the Junior Engineer, Dollygunj site office, Electricity Department, which is tabulated below. The appellant has 04 Nos. Electric Meter installed in her premises: -

Feeder Name : Dollygunj, 11 KV feeder						
Connected load in feeder : 1.7 MW at 1845 Hrs.						
Voltage in feeder : 10.9 KV at 1845 Hrs.						
Voltage observed at consumer end						
Consumer Account No.	Connected Load	Time	No Load condition	On Load condition	Voltage at Transformer	Connected load at Transformer
G/4050	12 KVA	1150 Hrs.	228 Volts	225 Volts	R-226 Volts Y-225 Volts B-221 Volts	65%
G/5070	12 KVA	1150 Hrs.	220 Volts	212 Volts		
G2/1889	04 KVA	1150 Hrs.	215 Volts	210 Volts		
G2/1888	04 KVA	1150 Hrs.	216 Volts	208 Volts		
G/4050	12 KVA	1845 Hrs.	-	226 Volts	R-228 Volts Y-228 Volts B-225 Volts	70%
G/5070	12 KVA	1845 Hrs.	-	226 Volts		
G2/1889	04 KVA	1845 Hrs.	-	202 Volts		
G2/1888	04 KVA	1845 Hrs.	-	203 Volts		

7. Hence, as directed by the Hon'ble Ombudsman to settle the representation of appellant Vandana George through mutual agreement, the Assistant Engineer-II (HQ), Electricity Department vide No. EL/AE/SD-II/1-29A/2021-22/219 dated 02.09.2021, requested to attend the meeting on 04.09.2021 at 1000 Hrs. in the chamber of undersigned, but the Appellant did not attend the meeting.

**(C) Ld. CGRF-A&NI, preferred for Appeal:**

Ld. CGRF-A&NI, has neither heard the matter nor passed any order with in the stipulated time.

**(D) Deliberations during Video hearing on 07.10.2021:-**

**1. Appellant's Submission:**

- a) Ms Vandana Georg-Appellant, reiterated her version as submitted in the Appeal, Rejoinder.
- b) She confirmed that she is not demanding a new connection as prayed in her complaint dated- 27.05.2021 to the CGRF-ANI.
- c) She further confirmed that there are two connections on the Ground floor and two connections on the First floor of her residence and she is facing lots of problem due to low voltage.

**2. Respondent's Submission:**

- a) Shri Karuna Jaydhar-Executive Engineer, reiterated his version as submitted in the counter reply to the appeal.
- b) He agrees to the low voltage problem and informed that they have installed around 30 MWp of Solar Plants and due to clouds, there is frequent dip in the voltage during day time. He further informed that the matter has been taken up with MNRE ministry to install storage batteries or some other solutions to mitigate this problem.
- c) He further confirmed that there is right of way issue to install a Distribution Transformer near the load centre/Appellant house. However, he stated that LT line from 160 KVA Distribution Transformer to the house of the Appellant is around 450 metres and has spans of different sizes of ABC cables. He promised to upgrade the entire Distribution LT line with higher size to improve the voltage.



**(E) Findings & Analysis: -**

1. I have perused the documents on record and pleadings of the parties.
  2. The documents submitted by the parties have been believed to be true and if any party submitted a fake/forged document, then they are liable to be prosecuted under relevant Indian Penal Code/Rules/Regulations.
  3. The issues which have arisen for considerations in the present Appeal are as under: -
    - i. Whether there is low voltage problem which has not been addressed by the Licensee/Electricity Department-ANI?
    - ii. Whether Appellant is entitled to the compensation as prayed for?
  4. Regarding issue at 3(i) as above, as to whether there is low voltage problem which has not been addressed by the Licensee/Electricity Department-ANI?
- (a). Following provisions have been provided in the Joint Electricity Regulatory Commission (Distribution Code) Regulations, 2010” notified by the Hon’ble Commission: -

**“2. QUALITY OF POWER SUPPLY**

1. *Frequency: The rated frequency shall be 50 Hz. All the constituents of the Power System shall make all possible efforts to ensure that the grid frequency remains within the bandwidth of 49.0 -50.5 Hz.*
2. *Voltage: - The voltage at any point of the system under normal operating conditions shall not depart from the declared voltage by more than the values specified under IS Specification.*
3. *Harmonic content: - As per IEEE recommendations, the total harmonic content in the supply voltage for sensitive loads shall not exceed 5 percent, with any single harmonic content not exceeding 3 percent. The respective User responsible for generating harmonics and affect the distribution system shall be responsible for corrective action”*

- (b). Following provisions have been provided in the Supply Code Regulations, 2018, notified by the Hon’ble Regulatory Commission: -

**“System of Supply:**

- 4.1 *The Licensee shall supply power within the frequency band specified in the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 including amendments thereof, if any, and JERC (State Grid Code) Regulations, 2010 including amendments thereof, if any. At the point of commencement of supply, except with the written consent of the consumer or with the previous sanction of the Commission, a supplier shall not permit the voltage to vary from the declared voltage more than the limit specified by Central Electricity Authority from time to time.*

**Classification of Supply**

- 4.2 *The classification of supply depends upon the network in the State and Union Territories and has been customized based on the prevailing voltage levels in the State and Union*



Territories.

4.3 The supply shall generally be given at the following voltages on the basis of contracted load for the States and Union Territories as per the tables given below:

**Table 1: Standard Voltage of Supply**

<b>Category</b>	<b>System of Supply</b>
<b>Low Tension</b>	
All installations (other than irrigation pumping and agricultural services) with a contracted load up to and including 5 kW	Single phase at 220 V/ 230 V
Irrigation pumping and agricultural services and all installations with a contracted load exceeding 5 kW and up to and including 100 kVA of contracted load	3 Phase, 4 wire at 440 V
<b>High Tension</b>	
Contracted load exceeding 100 kVA and up to and including 5000 kVA	6.6 kV/11kV/22kV/33kV
<b>Extra High Tension</b>	
Contracted load exceeding 5000 kVA	66 kV and above

(c) Following provisions have been provided in the Standard of Performance for Distribution Licensees Regulations- 2015, notified by the Hon'ble Regulatory Commission: -

**Schedule-I**  
**Guaranteed Standards of Performance**

10	Voltage Fluctuations	Licensee shall maintain voltages at the point of commencement of the supply to a consumer within the limits stipulated as under, with reference to the declared voltage a. In case of Low Voltage= + 6% and – 6% b. In case of High Voltage= + 6% and – 9% and c. In case of Extra High Voltage= + 10% and – 12.5%
11	On receipt of a voltage fluctuation complaint, licensee shall verify if the voltage fluctuation is exceeding the limits specified and upon confirmation licensee shall resolve within the time limits specified below: -	
	i. Local problem on the transformer	Whin 3 days
	ii. Distribution Network problem	a. Within 15 days for LT system and 30 days for HT system where no expansion or enhancement of network is involved. b. Within 180 days if upgradation of distribution system is required.

- (d) As directed by this authority, an inspection was carried out by the Electricity Department in the presence of the Appellant/her Representative and it is found that there are 4 connections of 2X12 KVA and 2X4 KVA. The voltage measured is not within the limits as prescribed by the above said Regulations.
- (e) Electricity Department/Licensee is obliged to provide and maintain safe, reliable, economical Distribution System and provide quality of supply to its consumers. In view of the above analysis, the LT distribution system and Transformer etc. needs to be upgraded to provide proper voltage.
- (f) Further it has been observed that two connections of 12 KVA each have been allowed by the Electricity Department on single phase. As per above said Supply Code Regulations-2018, connection above 5 KW ( $5/.90=5.55$  KVA) are required to be released on 3 phase system. Whenever air conditioners or some other high consuming appliances are run, voltage is further dropped due to overloading on the single-phase connection. Therefore, the Electricity Department as well as the consumer is required to fulfill their part of prescribed duty.
5. Regarding issue at 3(ii) as above, as to whether Appellant is entitled to the compensation as prayed for?

I have perused the documents submitted by the Appellant. She herself is acting against the provisions of Supply Code by consuming a load of 12 KVA on a single-phase connection. Electricity Department-ANI is equally responsible in releasing a load of 12 KVA on single phase instead of 3 phases as required as per Supply Code Regulations. No other evidence was furnished to substantiate the claim for damages. I do not find any merit in the claim of compensation.

6. (i) 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", adjudicating that single member can decide the consumer grievances.
- (ii) Hon'ble Regulatory Commission vide their letter no-JERC-RA-10/1/2020/190 dated-07.09.2021 has also directed the single member to dispose of pending grievances.

**(E) DECISION**

1. For the reasons discussed above, the appeal of the Appellant is partially allowed.
2. Electricity Department is directed to upgrade the distribution system within three months.
3. Electricity Department is directed to issue necessary directions to their field staff for releasing the electricity connections strictly as per Supply Code, so that other innocent consumers on the distribution system do not suffer.



4. Appellant is also directed to get the connections of 12 KVA converted from single phase to 3 phases as per said Regulations within three months.
5. The Electricity Department/Licensee is further directed to fill up the vacancies of Chairman and Member of CGRF –Goa within a period of **Two months**, as already directed in Appeal No-149 of 2021 dated-22.09.2021, titled Suryanaryan vs Electricity Department-ANI.
6. Hon'ble Independent/Nominated Member of CGRF-ANI, is directed to dispose of all pending complaints independently, to avoid further harassment to consumers till the other Member/Members is/are appointed.
7. 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.
8. The Electricity Department/Licensee should submit a compliance report to the office of Ombudsman on the action taken in this regard within **Three months** from the date of issue of this order by email.
9. 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.
10. The appeal is disposed of accordingly.



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

**Dated: 11.10.2021**