

Ref No: 1/34/2014- EO

Date: 28th May, 2014
Appeal No. 25/2014

Sub: Representation/ Appeal Before the Electricity Ombudsman for JERC for the State of Goa and UTs against the order dated 14.03.2014 of CGRF, Dadra & Nagar Haveli by Panchal Electro Controls Private Limited, Gala No. 24, Ground Floor, Tirupati Industrial Estate, Opp. 66 KV Substation, Amti, Silvassa-396230 (Connection No. S/9091) regarding reconnection.

Panchal Electro Controls Private Limited
Gala No. 24, Ground Floor,
Tirupati Industrial Estate,
Opp. 66 KV Substation,
Amti, Silvassa-396230

Appellant

V/s

The Superintending Engineer
Electricity Department,
Dadra & Nagar Haveli,
66 KV Substation,
Amlti Road, Silvassa-396230

On behalf of Licensee

Respondent

Hearing on Friday, the 23rd May, 2014

Present: Mr. R. K. Kaul, Electricity Ombudsman for JERC for Goa and UTS.

On behalf of the Appellant:

1. Shri K.P. George
Panchal Electro Controls Private Limited
Gala No. 24, Ground Floor,
Tirupati Industrial Estate,
Opp. 66 KV Substation,
Amti, Silvassa-396230

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On behalf of the Respondent:

2. Shri B.B. Patel
Assistant Engineer
Electricity Department
Dadra & Nagar Haveli,

3. Shri A.L. Patel
Junior Engineer

Date 28.05.2014

ORDER/ Recommendation

(Settlement through mediation and conciliation)

1. The appeal/ representation cited above received in the Office of Electricity Ombudsman for the State of Goa and UTs was admitted on 28.04.2014. A copy of the same as received was forwarded to the Respondent on the same day with the direction to submit their remarks/ counterstatement on each of the points relating to the matter of this representation supported by copies of relevant documents, latest by 08.05.2014 with a copy to the Appellant. The point wise reply of the Respondent has been received in the Office of Ombudsman on 12.05.2014

Brief Facts of the Case

2. An industrial connection having Connection no. S/9091 was released to the consumer in 1997. The department issued the electricity bills to the consumer regularly and the same were paid by the consumer. Since May,2012 the consumer has not been paying the bills & the arrears stand at Rs. 73998/- upto May, 2014.
3. As per agreement of consumer with the department, they have signed 99 HP connection in LT category. The consumer is demanding 200 HP connection in LT category which probably he was having when he started his workshop and at that point of time, the connection was released by the private company till the same was taken over by the electricity department.
4. Since the electricity department had released only 99 HP connection, probably the consumer was using much more power which was resulting into failure of CT/PT blocks again & again resulting into disruption of power supply.
5. The electricity department had requested the consumer to replace the electromagnetic meter with the electronic meter but the exercise was not carried out by the consumer. The electricity department temporarily disconnected the

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connection and electricity bills were raised by the department on the basis of minimum monthly charges.

6. The Appellant approached the CGRF against the action of licensee on dated 08.03.2014. The CGRF after hearing both the parties ordered for permanent disconnection on 18.03.2014.
7. Aggrieved by the decision of the CGRF, the appellant approached the office of the Electricity Ombudsman for the State of Goa and Union Territories.

Prayer

- a) Continuation of 200 HP connection
- b) Waive the penal charges & interest charges

Settlement by Agreement

8. Both the parties under this appeal/ representation, were informed on 13.05.2014 to appear before the Ombudsman for the hearing on 23.05.2014 at 11:00 AM at Dadra & Nagar Haveli, Silvassa (Electricity Department, Dadra & Nagar Haveli, 66 KV Substation, Amlu Road, Silvassa-396230) .It was indicated to them to put forth and explain their position in person or by an authorised representative and produce documentary evidence relating to all the points on the matter of this representation. It was also informed through the notice that the Ombudsman's efforts, in the first instance, during the hearing would be to facilitate settlement through mediation and conciliation.

Both the parties appeared before the Ombudsman as scheduled and were heard. The Applicant reiterated his request for continuation of 200 HP connection and the waiver of penal charges & interest thereon on the electricity bills, whereas the respondent (Licensee) refuted the claim of the consumer for 200 HP connection as he had signed only 99 HP connection with the department.

9. After hearing both the Appellant and the Respondent on the matter, it was ascertained as to whether at this stage, they were willing for any settlement mutually agreeable to both of them.

Recommendation on Mutually Agreeable Settlement:

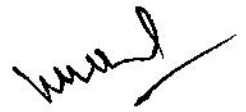
On the initiation of the Electricity Ombudsman, the Appellant (consumer) agreed for permanent disconnection. He also agreed that as per the factual conditions, since the agreement between the two parties was only for 99 HP connection, the capacity could not be increased. Moreover, on the increase of capacity, the LT connection would

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automatically be converted into HT connection, for which the consumer was not prepared. The Respondent (Licensee) had already reduced the energy bill to Rs. 26000/- approximately. It was mutually agreed that the pending bill of Rs. 26000/- would be adjusted against the consumer security of Rs. 30000/- & the balance would stand as security against the light point connection of the consumer.

Both the Appellant and the Respondent shall now confirm in writing within 15 days of the date of the above recommendations, confirm their acceptance and stating clearly that the settlement communicated is acceptable to them, in totality and in full and final settlement of the complaint/representation.

Dated : 28th Day of May, 2014



(R. K. Kaul)

Electricity Ombudsman for JERC
for the State of Goa and UTS

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Forwarded to:

1. Shri K.P. George
Panchal Electro Controls Private Limited
Gala No. 24, Ground Floor,
Tirupati Industrial Estate,
Opp. 66 KV Substation,
Amti, Silvassa-396230
2. The Superintending Engineer
Electricity Department,
Dadra & Nagar Haveli,
66 KV Substation,
Amla Road, Silvassa-396230

Copy to:

1. The Secretary, Joint Electricity Regulatory Commission for the State of Goa and UTs.
2. The Chairman, CGRF, Electricity Department, No. 4, 3rd Cross Street, Sathya Nagar, New Saram, Puducherry- 605 013.

