

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.178 of 2022

Date of Order:22.09.2022

M/s Bharti Airtel Ltd.,
Andaman & Nicobar Islands
Port Blair

.... Appellant

Versus

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

.... Respondents

Date of Order: 22.09.2022

The Appellant has preferred an Appeal against CGRF-A&NI for not passing the order in complaint No-ANI/CGRF/254/22-23/14 dated-10.08.2022 in prescribed time period as per CGRF and Ombudsman Regulations-2019.The appeal/representation received in this office on 24.08.2022 by email and the same was admitted for examination and consideration on 25.08.2022. 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: -

That Bharti Airtel Limited (hereinafter referred to as "Airtel" or "Company") a company incorporated under the Companies Act 1956 having its registered office at Airtel Center, Plot No. 16, Udyog Vihar, Phase-IV, Gurugram-122015, Haryana India and Circle office of Kolkata/WB Infinity Building, 5-7th Floor, Sector-V, Salt lake Electronic Complex, Kolkata-700091 having its office at Delanipur, Port Blair, Andaman has represented to CGRF-A&NI on dated-08/08/2022

We have our main Switching Center at 99 J N Road, Delanipur, Port Blair wherein we have obtained a 3 phase commercial EB Connection to our main switch center cum office having consumer No. A/2106. The connection has been obtained in March 2005 with connected load of 126 KVA and the power load has been given from a public transformer at Delanipur.

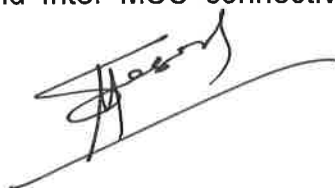
Airtel has launched 4G network in Andaman during August, 2020 since then power load has been increased and consequent upon such load enhancement, the frequency of power failure is increased with further problems of power fluctuation and low voltage. But as we were in requirement of load enhancement vide our letter dated 21.05.2021 we have applied to the Electricity Department to increase the connected power load from 126 KVA to 150 KVA (letter copy enclosed).

Subsequently, in November 2021, Electricity Department has shifted our power load from the old transformer to another transformer located opposite to Airtel Gate and thereby power failure issues faced by us was resolved and worked fine for 7 months from the date of such shifting.

But after a period of 7 months on 10.06.2022, Electricity Department all of sudden has shifted back our power load from the new transformer to the same old transformer without any reason. Since then the power fluctuation and low voltage issues started again and the frequency of power disruption / failure on daily basis is too high till now. Upon ventilating our grievance to the authorities at EB site office at Haddo, though they render assistance in restoring the power failure, the frequency of power failure is not being addressed and it is learnt that the power failure is due to the low capacity of the public transformer.

This matter was brought to the knowledge of the Executive Engineer (HQ), Electricity Department vide our letter dated 21.06.2022 (letter copy enclosed). We also met the Superintending Engineer, Electricity Department, in 3rd week of July, 2022 and explained the low voltage issues and he assured us that it will be resolved soon. Despite of our repeated requests and grievances to resolve the issues, no action has yet been taken.

This is to mention that the aforesaid Main Switch Center (MSC) serve total Andaman & Nicobar Telecom network and Inter MSC connectivity between Port Blair and rest of



India. Hence power disruption results serious impact on communication and at any point of time the connectivity may come to a standstill position causing huge inconvenience to public at large. Therefore, we request your kind intervention in resolving this issues at the earliest.

However, after registering the complaint on 17.08.2022, Ld. CGRF-A&NI has neither heard the matter nor has passed any order within the stipulated time as required as per Consumer Grievance Redressal Forum and Ombudsman Regulations-2019, hence this Appeal to the Ombudsman for urgent action.

(B) Submissions by the Respondents: -

Sh. Karuna Jaydhar, working as Superintending Engineer, A&N Administration, Electricity Department and also looking after the additional charge of Executive Engineer (HQ), Electricity Department, A&N Administration, solemnly affirm and state on oath as under:-

1. That the deponent is working as Superintending Engineer, A&N Administration, Electricity Department (Licensee) and also looking after the additional charge of Executive Engineer (HQ), A&N Administration, Electricity Department.
2. That parawise counter reply is as under:-

The authorized officer of licensee i.e. Assistant Engineer, Sub-Division-I, HQ Division, Electricity Department, vide letter No. EL/AE-I/28-15/2022/1390 dated 07.09.2022 (**Flag A**), informing that the continuous power outages / breakdown and low voltage problem of Airtel Switch Centre at Delanipur, Port Blair, has been resolved.

The complainant has also satisfied with the measures taken by the Authorized officer of licensee i.e. Assistant Engineer, Sub-Division-I, HQ Division, Electricity Department, to resolve the issue.

In accordance to the settlement of respective grievance, the complainant/appellant, has withdrawn the appeal dated 25.08.2022. A copy of withdrawal letter dated 03.09.2022 received from Bharti Airtel Limited is attached herewith as (**Flag B**), for your kind perusal and necessary action please.

(C) CGRF- A&NI's Order preferred for Appeal:

After registering the complaint on 17.08.2022, Ld. CGRF-A&NI, has neither heard the matter nor has passed any order within the stipulated time as required as per Consumer



Grievance Redressal Forum and Ombudsman Regulations-2019, as the appointment to the vacant posts of Chairman and Member of CGRF have not finalized by the Distribution Licensee/Andaman & Nicobar Islands Administration till date.

(D) **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, and then they are liable to be prosecuted under relevant Indian Penal Code/Rules/Regulations.
3. The Respondents vide their email dated-12.09.2022 has attached a letter of the Appellant firm dated-03.09.2022 which is reproduced below: -

Dated-03.09.2022

To

The Electricity Ombudsman
(For the State of Goa and UTs)
3rd Floor, Plot No-55-56, Phase-IV, Sector-18
Gurugram-122015

Sub: Intimation of prompt Response by Electricity Department and set right of all Electricity related issues-reg.

Sir,

The Electricity Department, Andaman & Nicobar Administration has responded promptly to your directions and set right all electricity related issues as mentioned in my Appeal No. 178 of 2022 against CGRF –A&NI for not passing the order within the prescribed time limit in Complaint no. ANI/CGRF/254/22-23/14 dated 10.08.2022 filed by M/s Bharti Airtel Ltd. A new dedicated distribution transformer sub-station 200 KVA, 11/0.415 KV has been installed and commissioned by extending 4 span of 11 KV cable 185 Sqmm (XLPE). This company has agreed to pay the estimated charged incurred in carrying out the above job.

Thanking your sir

Yours Sincerely

For Bharti Airtel Limited
Delanipur, Port Blair

Signing on behalf of Shri. P L Pichaiiah, manager-Commercial, who is out of station Shri. Pabitra Das, Site In charge, Electrical (As no other responsible staff available)

Copy to:-
The Executive Engineer, Electricity Department, Port Blair with reference to my complaint letter no. Airtel/2022-23/eb/001 dated 21th June 2022 for kind information and thanks for response.

For Bharti Airtel Limited
Delanipur, Port Blair

4. Copy of the Respondents e-mail dated 12-09-2022 was supplied to the Appellant



(E) **DECISION**

1. In view of the foregoing facts, the issue in the instant Appeal is rendered infructuous, as the Respondents have resolved the issue of the Appellant.
2. 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.
3. The appeal is disposed of accordingly.



22/9/2022

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

Dated: 22.09.2022

