

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.186 of 2022

Date of Order: 24.01.2023

Sh. Parag Satija and
Sh. Anil Kumar,
Chandigarh.

.... Appellants

Versus

The Superintending Engineer,
Electricity Department,
Chandigarh and others

.... Respondents

Date of Order: 24.01.2023

The Appellants have preferred a joint Appeal against CGRF-Chandigarh's order No-D-23/2022 dated-04.04.2022 filed by Parag Satija and Sh. Anil Kumar. The appeal/representation received in this office on 22.11.2022 and the same was admitted for examination and consideration on 24.11.2022. From the Appeal, it is transpired that Appeal is against the CGRF -Chandigarh order-04.04.2022 where in it was ordered that as per notification no-G-1/2002/2 dated-18.04.2002 the case is required to be decided by SE/XEN. Therefore, a hearing was held at Chandigarh to ascertain the true facts and accordingly the Appeal was admitted as Appeal No-186/2022 and copy of the Appeal 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 Appellants:

Appellants submitted the brief facts as under: -

- (i) We were selected as leading persons & given connection for P-shed colony by the S.D.O (OP) Sub Div. No. 9, Sector 43 Chandigarh in 02/2013.
- (ii) The Chandigarh Administration demolished the P-Shed colony on 19/11/2020.

Appeal No.186 of 2022



- (iii) During this period i.e., 02/2013 to 19/11/2020 there was no dispute of any kind whatsoever with the CED.
- (iv) After demolition of the P-Shed colony by the administration, we requested the CED in 02/2020 to issue us NDC against these A/s Nos.
- (v) The S.D.O intimated vide letter dated 02/02/2021 that amounts of Rs.1,13,248/-, Rs. 84,288/ and Rs. 52,451/- are pending against account no. BS090045W, No. BS0990044H and NO. BS 090047Z, respectively.
- (vi) The S.D.O was requested on 11/02/2021 to adjust the outstanding dues from our securities/ACD lying with his Office.
- (vii) More than 7 ½ years after the release of connections the S.D.O vide his memo No. 6563 dated 20/12/2021 has intimated that the internal audit section has raised objections against two A/c nos. BS090044H & No. BS090047Z to submit MRI report and that connection has been applied and released under bulk supply category but domestic category tariff has been applied.
- (viii) 4 to 5 reminders were sent to the S.D.O/E. E to intimate the amount, if any due, after adjusting our securities/ACD etc. so that the same is deposit with the CED to finalize the matter & issue NDC against these A/c Nos. but no instructions/guide-lines have been received by us so far to finalize the matter.
- (ix) That the matter was brought to the notice of the CGRF, Sector 19 U.T. Chandigarh and it was advised vide its orders dated 04/04/2022 to approach the Xen (Op) and S.E. 'Op' circle whose decision shall be final.
- (x) The accordingly the matter was referred to the S.E. 'Op' circle of CED vide application dated 18/04/2022 followed by remainder dated 03/06/2022 but no action in the mater seems to have been taken so far.
- (xi) Therefore, this Appeal to the Hon'ble Ombudsman to redress our grievance.

(B) Submissions by the Respondents: -

Respondents have not filed the counter reply in response to Admission Notice dated-04.01.2023. However, during hearing at Chandigarh, they have admitted the submission made by the Appellants and supplied the documents regarding release of connection, bills issued by the Respondents to the Appellants, copy of notification as referred in the CGRF orders.

(C) CGRF- Chandigarh 's Order preferred for Appeal:

- (i) Ld. CGRF-Chandigarh, has passed the order and relevant part is reproduced below: -

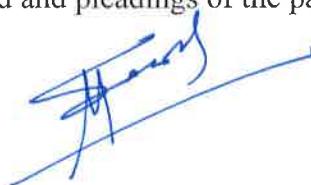
Decision

“The hearing in the case was fixed for 01.04.2022. As per notification no. G- 1/2002/2 & 3 dated 18.04.2002, the case is to be decided by XEN 'OP' circle whose decision will be final. So, the complainants should approach the XEN/S.E. Office for redressal of their Complaint.”

(D) Findings & Analysis: -

1. I have perused the documents on record and pleadings of the parties.

Appeal No.186 of 2022



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 Appellants vide their email dated-20.01.2023 has informed that they are withdrawing their Appeal as the issue has been resolved through mutual agreement and their email is reproduced below: -

Email

Dated-20.01.2023

Refer my complaint filed before your good self on dated- 22-11-22 and your subsequent email dated 04.01.23 admitting my complaint, it is intimated that the issue has been resolved amicably with the Electricity Department.
As such, we wish to take our complaint back being no grievance stands now.
Thanks for your kind support and help in the matter.
Thanking you
Parag satija #15-A Sector 44A Chd
Anil kumar #285 Sector 37 Chd
(Appellants)

(E) DECISION: -

1. In view of the foregoing facts, the issue in the instant Appeal is rendered infructuous, as the parties have entered into a mutual agreement to settle the issue. Therefore, the Appeal of the Appellants is dismissed as withdrawn.
2. The Appellants/ Respondents should adhere to their mutual agreement.
3. 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.
4. 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.
5. The appeal is disposed of accordingly.



24-1-2023

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

Dated: 24.01.2023