

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.190 of 2022

Date of Order: 03.04.2023

Shri S.K.Nanda,
Andaman & Nicobar Islands
Port Blair

.... Appellant

Versus

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

.... Respondents

Date of Order: 03.04.2023

The Appellant has preferred an Appeal against CGRF-A&NI's order in Complaint no-ANI/CGRF/257/22-23/17 dated- 01.02.2023. The appeal/representation received in this office on 16.02.2023 by email and the same was admitted on 17.02.2023. 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: -

- (i) We had complained to Assistant Engineer III Electricity Department Garacharma Port Blair on 29.07.2022 regarding of high electricity charges for meter.
- (ii) Before the month of October 2021, the average monthly bill was coming to us between 65000/- to 70000/- per month for the above meter. However, from November 2021 to April 2022, our electricity bill increased from 1,20,000/- to 1,94,000/- per month during the Lockdown Period. We had not increased any equipment in our workshop in the above-mentioned month.
- (iii) After we complained the meter reading, Bills have returned to normal, we don't understand how our bill were so high from the November 2021 to April 2022.
- (iv) We also wanted to clear our present bills but the JE and AE are not accepting our payments.
- (v) We complained to the CGRF but vide order dated-01.02.2023, CGRF as per paragraph mentioned "The forum asked to the complaint Shri S.K. Nanda about any dispute new smart meter reading. The Complaint Shri S.K. Nanda said the new smart meter gives satisfactory readings. But the Order was as follow's
 - a) The Respondent/ licensee [ED] is directed to revise the electricity bills from January to April (19 months against old energy meter considering the highest average consumption as 6700 units per month as per tariff order during the period, and thus excess amount so collected, if any adjusted in future bills of the complainant.
 - b) The Respondent/Licensee [ED} is directed to revise the bill within five (5) working days with intimation of the same to the consumer, as per Electricity Supply Code Regulations, 2018, Clause 7.26.



- c) The Respondent/Licensee (ED) is directed to collect 'late fee after due date' from the complainant against the Unpaid electricity bills from December to April 2022, as per electricity Supply C Code Regulations, 2018, clause 7.26.
- d) The complainant is directed to make the payment within 15 days after receipt of the revised bills so received from the respondent / Licensee (ED), as per Electricity Supply C Code Regulations, 2018, Clause 7.26.

(Vi) We prayed that at present Average New smart meter reading is coming as follows: -

October 2022-520 unit
November 2022-550unit
December 2022-5490 unit

But in the CGRF order, it was ordered for the billing us at 6700 Unit per month. We have not received the Revised bill till date. We apprehend that if the amount is calculated @ 6700 units per month, the bill will be more. Therefore, it is requested to set aside the CGRF order and allow us a period of 2 months, to clear our dues, if any.

(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: -

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.

1. That parawise counter reply is as under: -

- I. 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
- II. That parawise counter reply is as under: -
 - (a) The authorized officer of licensee i.e. Assistant Engineer, Sub-Division – III, electricity Department, vide letter No. EL/AE/PP/1-12/22/23/1617 dated 16.03.2023 (Copy attached, has reported that the grievance filed by the complainant/appellant S.K. Nanda has been redressed.
 - (b) The grievances of the applicant Shri. S.K. Nanda, has been achieved through mutual agreement. In this regard, the applicant has submitted a withdrawal letter dated 15.03.2023, addressed to Hon'ble Electricity Ombudsman, is attached herewith, for your kind perusal and further necessary action please.
Hence, the appeal of Shri S.K. Nanda, may please be dismissed

(C) CGRF- A&NI's Order dated-01.02.2023 preferred for Appeal:

Order

“After detailed deliberations, submissions and documents produced before the Forum, and on the basis of the observation so reached, the following Order is passed:-



1. The Respondent/Licensee (ED) is directed to revise the electricity bills from January 2021 to April 2022 (19 months) against old energy meter considering the highest average consumption as 6700 units per month as per tariff order during the period, and thus the excess amount so collected, if any, be adjusted in future bills of the complainant.
2. The Respondent/Licensee (ED) is directed to revise the bill within five (5) working days with intimation of the same to the consumer, as per Electricity Supply Code Regulations, 2018, clause 7.26.
3. The Respondent/Licensee (ED) is directed to collect '*late fee after due date*' from the complainant against the unpaid electricity bills from December 2021 to April 2022, as per Electricity Supply Code Regulations, 2018 under clause 7.25.
4. The Complainant is directed to make the payment within 15 days after receipt of the revised bills so received from the Respondent / Licensee (ED), as per Electricity Supply Code Regulations, 2018 under clause 7.25.
5. The Respondent/Licensee (ED) is directed to ensure that the correct reading of electricity meter be recorded diligently before producing the bill for print and onward distribution to the consumer.
6. The Respondent/Licensee (ED) is also directed to serve a 'Show Cause Notice' to the Meter Reader for his negligence of meter reading.
7. The Respondent/Licensee (ED) is directed to submit compliance report within 15 days from the date of issue of receipt of this order as per JERC Regulation No. 26/2019 under Clause 27(1). The compliance report should clarify about the adjustment of excess billed amount and intimate to this Forum alongwith a copy of the 'Show Cause Notice' so served to the Meter Reader.



8. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right, by availing the redressal within his jurisdiction.”

“The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot No. 55-56, Service Road, Udyog Vihar, Phase-IV, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684708, E-mail: ombudsman.jercuts@gov.in **within one month from the date of receipt of this order**”.

[Annexure – IV Appeal Form can be collected from this Forum in any of the working days].

(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, then they are liable to be prosecuted under relevant Indian Penal Code/Rules/Regulations.
3. The Respondents vide their letter dated-17.03.2023, received in this office by post on 28.03.2023, has attached a letter of the Appellant dated-15.03.2023 which is reproduced below: -

Dated 15.03.2023

To

The Hon'ble Ombudsman

The Electricity Ombudsman

(For State of Goa and Union Territories)

Gurgaon, Haryana

Sub- Withdrawal of Appeal/ representation filed in the Office of Electricity Ombudsman vide appeal No. 190 of 2022 against CGRF. A&NI, electricity Department- reg

Sir,

I, Shri S.K. Nanda R/O- Garacharma, Port Blair (Consumer Account No. H3/3170) filed an Appeal / Representation before the Hon'ble Ombudsman, vide Appeal No. 190 of 2022. Now I intent to withdraw the above Appeal/ Representation with the reason that the offices of electricity Department, A&N Administration, has redressed all my grievance and settled the issues. Now, I had No. grievance against the Electricity Department.

Hence, the above Appeal/Representation may please be treated as withdrawn.

Inconvenience caused is deeply regretted.

Yours Faithfully,

Sd/-

S.K Nanda

R/O- Garacharma, Port Blair

Copy to: -

The executive Engineer (HQ), Electricity Department, Port Blair for kind information.

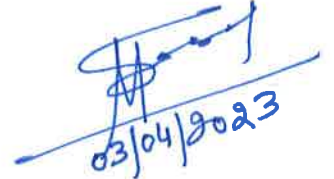
The Assistant Engineer-III, Prothrapur, Electricity Department, for information.

(E) DECISION

1. For the reasons discussed above, the Appeal of the Appellant is dismissed as withdrawn.
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.

A handwritten signature in blue ink, followed by a horizontal line and the date '03/04/2023' written below it.

(M.P. Singh Wasal)

Electricity Ombudsman

For Goa & UTs (except Delhi)

Dated: 03.04.2023