

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.194 of 2023

Date of order: 10.05.2023

Thiru A.Munusamy,
Puducherry.

.... Appellant

Versus

The Superintending Engineer cum HOD,
Electricity Department,
Puducherry and others

.... Respondents



Date of order : 10.05.2023

The Appellant has preferred an Appeal against the order of the Hon'ble CGRF- Puducherry, in CC No-28/2023 dated-07.03.2023. The appeal/representation received in this office on 06.04.2023 by email and the same was admitted for examination and consideration on 12.04.2023. 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) That I have informed my opinion before CGRF on 06-03-2023. The reply given by the Electricity Officers on my opinion is not satisfying me, Hence I am applying this Appeal due to the following reasons: -
 - (a) For the last three years I have asked the electricity Payment Notice from the electricity Department officers. They have not provided.
 - (b) They have informed me to re-verify the Electricity meter. I don't know how to re-verify it. Hence request to send one person who know to verify the electricity meter and prove it through the electricity department.
 - (c) I apply this case for appeal, I request to give a good justice through this case.

(B) Submissions by the Respondents:

Sh. K.Ramanathan , Executive Engineer – Rural (South)-Puducherry, on behalf of the Superintending Engineer cum HOD, Electricity Department, vide his email Dated-28.04.2023 has submitted as under:-

- (i) That in response to the direction of Hon'ble Electricity Ombudsman, the appellant Thiru A. Munusamy was called-for by the jurisdictional Assistant Engineer / Eripakkam Sub-Station on 25.04.2023 to settle the representation of the



appellant for the reconsideration of the levy of BPSC amount in the current charges bill.

- (ii) During mutual agreement, the applicant has consented to pay the entire BPSC amount as what levied in the CC bill. Besides, the appellant has also paid Rs.25000/- on 05-04-2023 and requested for 4 installments to settle the balance outstanding arrear amount along with current month bills. The department accepts the applicant request for payment of remaining amount in four installments.
- (iii) The consent letter and receipt of the payment made by the appellant are enclosed for kind perusal please.

(C) CGRF-Puducherry's Order in C.C. No.-28/2023 dated-07.03.2023, preferred for Appeal:

Learned CGRF has passed the following order: -

ORDER

“ i.The Respondents are directed to issue instalment order based on the request of the Complainant from 20/03/2023. If the Complainant failed to make payment as per the instalment order, the Respondents are at liberty to take action as per Supply Code 2018.

ii. Thus the complaint is not allowed.

iii. 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 in :prescribed Annexure-IV to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Road, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015; Phone 0124-4684708; email ombudsman.jercuts@gov.in within 30 days from the date of this Order under intimation to this Forum and the Respondents.”

(D) Findings & Analysis: -

1. I have perused the documents on record.
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 email/letter dated-28.04.2023, has attached a letter of the Appellant dated-25.04.2023, which is reproduced below: -

From,
Thiru A Munusamy,
No58, Main Road, Sootamangalam
Puducherry

To,
The Assistant Engineer,
Erripakkam sub- station
Electricity Department,
Puducherry

Sir,

Sub: Withdrawal of appeal made before the Electricity Ombudsman regarding bill revision -Reg

Ref- Appeal No. 194 of 2023

I am to inform that during the mutual agreement had with the Assistant Engineer /Eripakkam Sub- station, I satisfied in the Issue of bill revision of my domestic service connection. Hence, I hereby withdrawal my appeal vide reference cited above.

In the connection, I Further informed that I had paid Rs. 25000/- i.e 1/3rd of the outstanding arrear on 05.04.2023.

Hence, I humbly requested you to permit me to pay the balance Arrear amount of Rs. 77,149/-- by 4 installments if permissible.

Thanking you

Yours

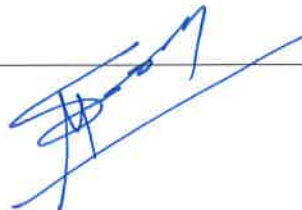
faithfully,

Sd/-

(A. Munusamy)

Place: Puducherry

Date: 25.04.2023



4. The Appellant was requested by the office of the Ombudsman vide email dated-02.05.2023 as under, to confirm if he is satisfied with the mutual agreement: -

Email- sriambalxerox@gmail.com 02.05.2023

Dear Sir,

PFA email from Electricity Department regarding mutual settlement. You may confirm the mutual settlement within 4 days failing, which matter shall be treated a mutually settled, as per your letter dated-25.04.2023 to the address of the Assistant Engineer, Eripakkam Substation-Puducherry.

Regards,

Incharge-Registry
O/o Electricity Ombudsman
Joint Electricity Regulatory Commission for Goa & UTs
Gurugram(Haryana)
M-8076539215

However, the Appellant has not replied and it is presumed that he is satisfied with his mutual agreement with the Respondents as per his letter dated-25.04.2023, as stated in para-3 above.

5. I have perused the documents on record. Both the parties have mutually agreed to reconcile the issue and Appellant has confirmed that he is satisfied and grievance has been redressed by the Electricity Department and accordingly, he is withdrawing this Appeal.

(E) DECISION

1. For the reasons discussed above, the Appeal of the Appellant is dismissed as withdrawn.
2. The Electricity Department/Licensee is directed to adhere to their mutual reconciliation as stated above.
3. 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 Commission under the provisions of the section-142 and 146 of the Electricity Act, 2003.

4. 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.
5. The appeal is disposed of accordingly.

Dated: 10.05.2023

Gurugram (Haryana)


10-05-2023

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