

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
SRI VIJAYA PURAM

Before:

Shri. R. Ravichandar, Chairman.
Shri. Narayan Chandra Baroi, Member (Licensee).

In the matter of:

Shri. Shahul Hameed, S/o Shri. Kamaludin, R/o Murdha Kari road,
Garacharma, Sri Vijaya Puram, South Andaman.

.....Complainant

Versus

The Electricity Department, A & N Administration, Sri Vijaya Puram.

.....Respondent

Complaint No. : ANI/C.G. No. 57/2025 dated 12/02/2025
Complaint : Providing Re-Connection (Domestic)
Date of Hearing : 20/02/2025
Date of Order : 24/02/2025



ORDER

Background

The complainant Shri. Shahul Hameed, S/o Shri. Kamaludin, R/o Murdha Kari road, Garacharma, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 985 dated 12/02/2025 regarding Re-connection of electricity connection bearing consumer no. H4/123 (Domestic).

The complaint was registered as ANI/C.G. No. 57/2025 and forwarded on 12/02/2025 vide letter No. ANI/CGRF/10-380/634 to the Nodal Officer (CGRF), Executive Engineer (HQ), and Assistant Engineer-III(HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 20/02/2025 at 10:30 a.m. in the Hearing Hall of the Electricity (CGRF), A&N Islands, Horticulture Road, Haddo, Sri Vijaya Puram with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 20/02/2025 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2024-25/710 dated 18/02/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 1004 dated 18/02/2025 (the letter is kept in case file) (**Exbt. -1**).

Hearing on 20/02/2025

The Hearing was held on 20/02/2025 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. Shahul Hameed, Complainant.
- (ii) Shri. Naveen Lall, AE-I, Elect. Dept.
- (iii) Shri. R. Maheswari, JE, Elect. Dept.

Statement of the Complainant

The complainant Shri. Shahul Hameed, S/o Shri. Kamaludin, R/o Murdha Kari road, Garacharma, Sri Vijaya Puram, South Andaman stated in his complaint letter dated 12.02.2025 that "I am writing to bring to your kind attention that a notice dated 27/05/2024 was pasted on my house, stating that I was required to pay the dues which are pending and take necessary steps for the reconnection within one month of receipt of the notice, failing which my electric meter would be dismantled as per Clause 23(4) of the Andaman & Nicobar Islands regulations.

Due to a medical condition following an accident, my left hand was not functioning, and I had been residing at my parents' house from 2020 to December 2024, for treatment and recovery. Now, after undergoing an operation on my left hand, I have returned to my residence.

Upon receiving information from my neighbor about the notice pasted on my house, I immediately cleared the entire outstanding electricity bill within the stipulated time period of one month on 18/06/2024.

A copy of the paid bill is enclosed herewith for your reference. However, despite timely payment, the reconnection of my electricity supply has not yet been done. Therefore, I humbly request you to kindly process my request at the earliest and restore the electricity connection at my residence.

All the relevant Documents to prove my statement for necessary clearance is attached for reference and it would help to resolve the problem in a more clear way. I approached AE, but not accepted my application (copy enclosed).

Kindly look into the matter by considering the medical background, since due to medical problem, this thing would happens and I will assure you that this kind of act will not be repeat again. I would be extremely grateful for your kind consideration and a favorable response please."



The complainant enclosed photocopies of letter submitted to AE(G/charma), Notice dated 27/05/2024, Payment receipt, Hospital's discharge summary, Affidavit, Security deposit and Ration card as ID proof, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-III (HQ) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/P/Pur/HQ/1-12/2024-25/1720 dated 17/01/2025 stated that: -

"The energy meter H4/123 stands recorded in favour of Shri.Shahul Hameed R/o Garacharma under Domestic category, his electric connection was disconnected due to non-payment.

Further, it is to inform that the said consumer is irregular in payment as per his previous payment record. Due to continuous non-payment previously this section has issued notice for disconnection vide the Assistant Engineer Notice No.2-4/AE/ PP/2-11/23-24/431 dated 04.09.2023.(Enclosure-I). After issuance of the notice for disconnection the complainant made payment on 08.09.2023.

Again, the complainant stop making payment of electric bill and was pending from July 2023 to March 2024 (i.e., for 9 months). This office contacted the complainant several times and requested for payment of the electric bill but there was no response from the complainant.

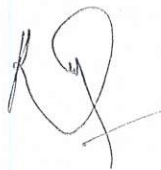
Notice was served to the complainant vide the Assistant Engineer, Prothrapur letter no. EL/AE/ PP/2-11/24-25/257 dated 27.05.2024(Enclosure-II) and the meter was dismantled as per the notice because as per W.B.B.S. consumer whose electric bill are pending for 9 months automatically dismantle on code 14 through W.B.B.S. and next bill of consumer cannot be generated further.

As directed by the forum the following documents are submitted:

- 1) Notice No.2-4/AE/PP/2-11/23-24/431 dated 04.09.2023.
- 2) Notice No. EL/AE/ PP/2-11/24-25/257 dated 27.05.2024.
- 3) Consumer Ledger sheet from January 2022 to January 2025.

This is for your kind information and further necessary action please."

The AE-III(HQ), Electricity Department enclosed photocopies of letter received from JE(G/charma), Notices to the consumer and Consumer ledger, which is kept in the case file **(Exbt. -3)**.



Submission of the Complainant

The consumer contended that his electricity connection was wrongfully dismantled. He argued that his prolonged absence from his home—necessitated by a serious accident and subsequent medical treatment that impaired the functioning of his left hand—meant he was not in a position to monitor notices personally. On learning from his neighbor that a notice had been affixed to his property, he swiftly settled the outstanding bills on 18/06/2024. Despite fulfilling the payment requirement outlined in the notice, he maintained that his connection remained disconnected, thereby causing undue hardship. He supported his claim by submitting all relevant documents, including the payment receipt and evidence of his hospital treatment.

Submission of the Respondent (Licensee)

The electricity department maintained that the connection under meter H4/123, which was registered in favor of the consumer under the Domestic category, had been disconnected in accordance with established procedures. They pointed out that the consumer's payment history was marred by a series of defaults, including an extended period of non-payment from July 2023 to March 2024. Although the consumer had made a payment on 08/09/2023 following an earlier notice, the subsequent arrears necessitated further action. The department asserted that the disconnection, executed after the notice dated 27/05/2024, was in full compliance with the statutory framework—specifically, under code 14 of the W.B.B.S. regulations—and was supported by a series of official communications and billing records.

Forum's Observation

The dispute arises from the disconnection of an electricity connection following a notice dated 27/05/2024. The consumer, who had been away from his residence due to medical treatment after an accident that rendered his left hand non-functional, was unaware of the notice until informed by a neighbor. Upon returning home after an operation, he promptly cleared the outstanding electricity bill by 18/06/2024 within the stipulated one-month period for reconnection. However, despite making the payment and submitting supporting documents, his electricity supply remained disconnected. On the other side, the electricity department contends that the meter (recorded under the name of Shri. Shahul Hameed under the Domestic category) had a history of irregular payments—including a prolonged period (July 2023 to March 2024) of non-payment—which justified the disconnection under established regulations. The forum, after reviewing both sides, observed discrepancies in the department's procedure and issued several directions to remedy the situation.

The complainant explained that due to a serious medical condition following an accident, he was forced to reside with his parents from 2020 until December 2024 to receive treatment and recover. After undergoing surgery on his left hand, he returned to his own residence and was surprised to learn—through a neighbor's information—that a notice had been affixed to his house

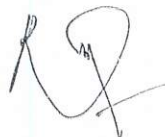


requiring payment of pending dues and warning of meter dismantlement. In response, he cleared the entire outstanding electricity bill on 18/06/2024 and submitted proof of payment. He contended that despite meeting the conditions set forth in the notice, the department had not reconnected his supply, and he therefore requested an immediate restoration of service while emphasizing his special medical circumstances.

According to the department's records, the energy meter H4/123, registered in favor of Shri. Shahul Hameed under the Domestic category was disconnected due to the consumer's recurrent failure to settle his bills on time. The respondent maintained that, although a payment had been made on 08/09/2023 after a previous disconnection notice issued on 04/09/2023, the consumer subsequently accumulated arrears from July 2023 to March 2024. Multiple reminders were issued, but the consumer did not clear these dues. Consequently, following the notice dated 27/05/2024, which warned of disconnection for sustained non-payment (in line with code 14 of the W.B.B.S. regulations), the meter was dismantled. The department supported its action by providing relevant notices and a ledger sheet documenting the billing history.

The forum noted that while the respondent's records indicated a history of irregular payments—including significant arrears—the complainant had, after receiving the disconnection notice, cleared all outstanding bills within the prescribed one-month period. It was observed that the complainant's delay was partly attributable to his medical condition and consequent absence from his residence. The forum considered that the procedure for reconnection, as outlined in the notice, had not been properly followed by the department, given that the complainant had fulfilled the financial obligation within the allowed time frame. Furthermore, the forum highlighted that the department's system and procedural framework appeared misaligned with the latest Supply Code Regulation 2018. In light of these findings, the forum concluded that an immediate remedy was necessary to restore the consumer's electricity supply, while also suggesting systemic adjustments to prevent recurrence of such issues.

The Forum directs the respondent to reconnect the electricity connection at the complainant's residence immediately. The department must ensure that reconnection procedures strictly adhere to the Supply Code Regulations 2018. The department directed to modify its billing software and reconnection procedures may be in line with the latest supply code regulations. The notice issued by the respondent vide notification dated 23-09-1983 not in par with the latest supply code regulations. Forum directs the respondent to modify the above notification in line with the latest supply code regulations and modify the conditions of reconnection and permanent disconnection. If any consumer did not pay the bills in time the same may be adjusted against the security deposit collected from the consumer and the same may be recovered in the subsequent two bills of the consumer. The security deposit collected from the consumer may cover the estimated amount of bill corresponding to the billing cycle period plus one month. Subsequently, the security deposit shall be revised annually as per the procedure defined in Regulation 5.136 of this supply code 2018. The security deposit collected from the consumer is for the payment security of the department of bills generated against the consumer.



The complainant also warned not to repeat irregular payments of bills. The department must establish a more effective system for notifying consumers about pending dues well in advance. The department must obtain an undertaking from the consumer affirming that the premises will be used exclusively by him and not for rental or other commercial purpose since the premises is in the encroachment land. If the consumer violates the above condition the department have a liberty to disconnect the supply after with due procedure. The reconnection may be provided to the consumer immediately till such time the eviction by the competent authority.

Hence,

It is Ordered:

After detailed deliberations, submissions, site inspection and documents produced before the Forum, and based on the observation so reached, the following Order is passed: -

1. The Case is closed with specific directions to the Respondent (ED) and the Complainant.
2. The Forum directs the respondent to reconnect the electricity connection immediately at the complainant's residence till such time the said premises being fully evicted by the concerned authority.
3. The respondent is directed to modify its billing software and reconnection procedures may be in line with the latest supply code regulations 2018.
4. The Forum directs the respondent to modify the notification dated 23-09-1983 which is not in line with the latest supply code regulations 2018, especially the conditions of reconnection and permanent disconnection procedures.
5. The department must obtain an undertaking from the consumer affirming that the premises will be used exclusively by him and not for rental and other commercial purposes, since the premises is in the encroachment land. If the consumer violates the above condition the department have liberty to disconnect the supply after with due procedure.
6. The complainant is directed to pay all future bills in time to avoid disconnection.
7. The Respondent shall ensure that all future disconnections are based on proper notice within a period of 15 days to the consumer in case of non-



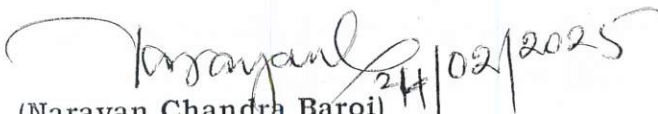
payment of dues etc. as per the Standard of Performance (SOP) dated 24/06/2015 under Clause 17 (1).

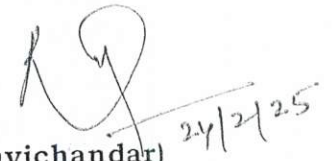
8. The Complainant is advised to install Earth Leakage Protective Device (ELPD) in the wiring to prevent any leakage and fire hazards and safety of equipment's in the premises.
9. Further, it is clear that providing reconnection to the applicant will not confer any right or equity in favour of the trespasser/encroacher/occupier to default the title of the lawful owner and shall not be treated as having rights or title over the premises.
10. The Respondent/Licensee (ED) is directed to comply the **JERC Regulation No. 23/2018 under Section 5.135, 5.136 & 5.137** against '**Interest on Security Deposit and Review of Security Deposit**' to ensure the payment security of the department of the bills generated against the consumer.
11. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 31/2024.
12. As per JERC Regulation No. 31/2024 under Chapter-III of 30, non-compliance of the Forum Order shall be treated as violation of the Regulations of the Commission and accordingly liable for action under Section 142 of the Electricity Act 2003.
13. 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, Udyog Vihar, Phase, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684709, 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 the office of the Forum on any of the working days].

A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-III(HQ), Assistant Engineer (IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).


(Narayan Chandra Baroi)
Member Licensee
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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AE (IT)