

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

Before:

Shri. Narayan Chandra Baroi, Member (Licensee).
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Smti. Malkhi, W/o Shri. Sukhveerr, R/o Prem Nagar, Sri Vijaya Puram, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 49/2024 dated 27/12/2024.
Complaint : Providing Re-Connection (Domestic)
Date of Hearing : 03/01/2025
Date of Order : 06/01/2025



ORDER

Background

The complainant Smti. Malkhi, W/o Shri. Sukhveerr, R/o Prem Nagar, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 932 dated 26/12/2024 regarding Re-connection of electricity connection bearing consumer no. B/4530 (Domestic).

The complaint was registered as ANI/C.G. No. 49/2024 and forwarded on 27/12/2024 vide letter No. ANI/CGRF/10-372/592 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-I(HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 03/01/2025 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 03/01/2025 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2025/644 dated 01/01/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 939 dated 02/01/2025 (the letter is kept in case file) (**Exbt. -1**).

Hearing on 03/01/2025

The Hearing was held on 03/01/2025 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Smti. Malkhi, Complainant.
- (ii) Snti. Munesh, Asst. Complainant.
- (iii) Shri. Naveen Lall, AE-I, Elect. Dept.
- (iv) Shri. Anuj Kishen, JE, Elect. Dept.

Statement of the Complainant

The complainant Smti. Malkhi, W/o Shri. Sukhveerr, R/o Prem Nagar, Sri Vijaya Puram, South Andaman stated in her complaint letter dated 26.12.2024 that *"I, the undersigned, am writing to request the reconnection of my domestic electricity meter bearing Consumer No. B/4530. The meter was removed on 24/12/2024 due to non-payment of dues, without any prior notice being served by the department, which I find to be a form of harassment.*

As a senior citizen, I had already made a partial payment of Rs. 7,893/- on 19/12/2024, and I requested the concerned office to allow me a week's time to pay the remaining balance. However, despite my request to settle the dues on the same day, i.e. 24/12/2024, the officials refused to accept the payment, citing humanitarian grounds.

In light of this, I visited the AE office to request the reconnection of my meter, and they advised me to approach the CGRF for assistance, which is why I am submitting this application. I kindly request your urgent intervention in the matter, considering my willingness to clear the outstanding dues and the severe financial hardships my family is currently facing. The absence of electricity is further exacerbating our difficulties. I am ready to make the payment for the outstanding dues, including any reconnection fee, immediately. I humbly urge you to expedite the reconnection process at the earliest, and I assure you of my full cooperation in clearing all dues as soon as possible."

The complainant enclosed photocopies of Payment receipt and Aadhaar card as ID proof, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-I (HQ) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/SD-I/HQ/25-3/2025/909 dated 01/01/2025 stated that: -

"This has a reference to the Complaint No. ANI/C.G. No. 49/2024 dtd. 27/12/2024 submitted by Smti. Malkhi, W/o Sukhveerr R/o Prem Nagar on the above mentioned subject vide which it was directed to submit copy of extract of consumer profile, Smart Meter detailed report collect from EESL (ie. monthly unit

consumption, connected load, earthing and neutral details, meter testing report etc) along with meter reading book from 01/2023 to till date.

In this regard, the desired reports are enclosed:

1. Copy of Meter reading book from 01/2023 to till date is enclosed.
2. Copy of extract of consumer profile, Smart Meter detailed report collect from EESL cannot be provided as normal Energy Meter (single phase) was allotted to the complainant.

It is also to mention that Smti Malkhi was allotted domestic meter connection (B/4530) in pursuance to Hon'ble High Court order dated 17.03.2023 (copy enclosed), wherein it is specifically directed that

"In the event of any default in payment takes place on the part of the petitioner in respect of this said electricity connection the respondent authorities shall be at liberty to take steps in accordance with law".

Accordingly, the Department issued a notice dated 24.10.2024 (copy enclosed) to Smti. Malkhi for settlement of her outstanding dues. Despite repeated requests and ample opportunity, the complainant was unable to clear her dues in full. It is further clarified that payment counters remain available to all consumers during working hours for settling their dues during which the complainant made only a part payment of outstanding dues. Due to non-payment of dues, the WBBS placed the complainant under dismantled state and could only be reinstated upon full payment. Since the complainant failed to clear the full outstanding dues within time despite repeated requests, the connection was physically dismantled on 24.12.2024.

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

The AE-I(HQ), Electricity Department enclosed photocopies of letter received from JE P/Nagar dated 31/12/2024, Disconnection Notice to Smti. Malkhi, High court order dated 24/03/2023 and Meter reading record, which is kept in the case file (Exbt. -3).

Submission of the Complainant

Smti Malkhi approached the CGRF, seeking relief after her electricity meter (Consumer No. B/4530) was dismantled on 24/12/2024. She argued that the action was taken without proper notice, despite her partial payment of ₹7,893/- on 19/12/2024 and her request for additional time to clear the remaining dues. She expressed willingness to pay all dues immediately and emphasized the difficulties caused by the lack of electricity in her household.

Submission of the Respondent (Licensee)

The electricity department justified the disconnection of Smti Malkhi's meter, citing repeated non-payment of dues despite issuing a disconnection notice dated 24/10/2024. They clarified that the complainant's partial



payment on 19/12/2024 was insufficient and did not exempt her from disconnection. The department highlighted that the complainant was informed about the outstanding dues well in advance and failed to settle them in full. The dismantling was conducted in accordance with legal provisions and a High Court order dated 17/03/2023.

Forum's Observation

The case concerns a domestic electricity meter (Consumer No. B/4530) belonging to Smti Malkhi, a senior citizen residing in Prem Nagar. The meter was dismantled on 24/12/2024 due to non-payment of dues. The complainant alleges that this action was taken without proper notice and seeks the Consumer Grievance Redressal Forum (CGRF)'s intervention to restore her electricity connection, citing financial hardships and her willingness to pay the dues.

Smti Malkhi, a senior citizen, submitted a complaint to the CGRF seeking reconnection of her domestic electricity meter (Consumer No. B/4530), which was dismantled on 24/12/2024. She stated that she had already made a partial payment of ₹7,893/- on 19/12/2024 and had requested the electricity department to allow her a week's time to clear the remaining balance. However, despite her willingness to settle the dues on the day of disconnection, the department refused to accept her payment. She highlighted that the lack of electricity has caused severe difficulties for her family and sought immediate reconnection, assuring full payment of dues, including any reconnection fees.

The electricity department submitted its response, stating that Smti Malkhi's connection was dismantled due to her repeated failure to clear outstanding dues despite being issued proper notice on 24/10/2024. The department clarified that the complainant had been given ample time and reminders to settle the dues. Only a partial payment was made on 19/12/2024 instead of full payment. The dismantling was carried out in compliance with a High Court order dated 17/03/2023, which allowed disconnection in case of non-payment. The department also noted that payment counters were accessible, but the complainant failed to make full payment within the stipulated time.

The CGRF observed that the complainant had paid 75% of the outstanding dues including reconnection fees also and ready to make balance payment immediately. Notice for disconnection dated 24/10/2024 was issued and acknowledged by the complainant before the payment of Rs. 7893/-. During the site visit, it was found that the complainant was using electricity by tapping from a nearby house. The complainant continues to reside on the premises and is willing to pay the pending dues.

The Forum directs the JE, Prem Nagar to reconnect the complainant's electricity supply on receipt of balance payment and after the necessary formalities are completed. The complainant is required to pay the pending

dues immediately, including any reconnection charges. The reconnection is being provided on humanitarian grounds due to the complainant's financial hardship. The complainant must ensure timely payment of bills in future to avoid disconnection. The reconnection will remain valid until any eviction order is passed by the appropriate authority. The complainant is instructed to stop using electricity through tapping or any other unauthorized means. The forum advises the complainant to maintain regular communication with the electricity department regarding payment schedules. The electricity department is directed to monitor the complainant's payment status periodically. In case of future non-payment, the department has the right to disconnect the connection immediately. The forum will consider the case resolved once the complainant clears all dues and the reconnection is provided.

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 Respondent is directed to provide reconnection to Consumer No. B/4530 immediately till such time the said premises being fully evicted by the concerned authority.
3. The Complainant must make timely payment of bills in future to avoid disconnection.
4. 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).
5. 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.
6. 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.

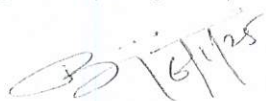


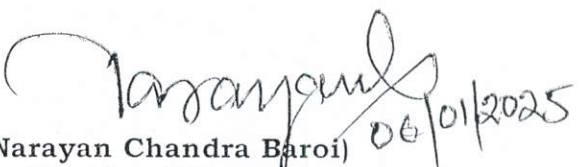
7. The Respondent/Licensee(ED) is directed to comply the **JERC Regulation No. 23/2018 under Section 5.135, 5.136 & 5.137** against **'Interest on Security Deposit and Review of Security Deposit'**.
8. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 31/2024.
9. 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.
10. 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-I(HQ), Assistant Engineer (IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).


(Biji Thomas)
Independent Member
Electricity CGRF


(Narayan Chandra Baroi) 06/01/2025
Member (Licensee)
Electricity CGRF

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