

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
PORT BLAIR

Before :

Shri. R. Ravichandar, Chairman.
Shri. Narayan Chandra Baroi, Member (Licensee).
Smt. Biji Thomas, Independent Member.

In the matter of :

The Junior Engineer, M/s EE(PBND), Circuit House, Haddo, Port Blair.

.....Complainant

Versus

The Electricity Department, A & N Administration, Port Blair.

.....Respondent

Complaint No. : ANI/CGRF/304/23-24/36 dated 28/11/2023.
Complaint : Excess Billing bearing Consumer Nos. A1/1457 & A1/1470
[Commercial (Govt.)]
Date of Hearing : 14/12/2023
Date of Order : 15/04/2024

ORDER

Background

The complainant, Junior Engineer, M/s EE(PBND), Circuit House, Haddo, Port Blair filed a complaint vide R.D. No. 290 dated 24/11/2023 regarding excess billing bearing Consumer Nos. A1/1457 & A1/1470 [Commercial (Govt.)].

The complaint was forwarded on 28/11/2023 to the Assistant Engineer (W/shop), Nodal Officer for CGRF, Executive Engineer(HQ), Assistant Engineer-III, Electricity Department who represents the Respondent/Licensee(ED) for submitting reply/comments and for attending the Hearing fixed on 14/12/2023 at 10:30 a.m. in the Hearing Hall of the Electricity CGRF, A&N Islands, Horticulture Road, Haddo, Port Blair with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 14/12/2023 at 10.30 a.m.

The Respondent on behalf of Licensee (ED) i.e. Assistant Engineer(W/shop), Electricity Department filed his letter No. EL/AE(W/shop)/2-16/2023-24/279 dated 19/12/2023 submitted reply/ comments on behalf of the Licensee/Respondent (ED), which was received by the Forum on 22/12/2023, which is kept in case file **(Exbt.-1)**.



In the meantime the complainant, Junior Engineer (PBND), Haddo Circuit House in his letter No. JE/CH-TAPL/S.D-IV/PBND/2022-23 dated 06/12/2023 submitted that the matter has been amicably settled outside the Forum, which is kept in case file **(Exbt.-2)**.

Hearing on 14/12/2023

The Hearing was held on 14/12/2023 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Junior Engineer, PBND, Complainant **(Absent)**.
- (ii) Shri. Naveen Lall, AE-I(HQ), Elect. Dept.
- (iii) Shri. Sandeep Mukherjee, NO, Elect. Dept.
- (iv) Shri. Rakesh Singh, JE, Elect. Dept.
- (v) Shri. B.M. Sutradhar, Chargeman, Elect. Dept.

Statement of the Complainant

Complainant, the Junior Engineer, PBND, Haddo Circuit House, stated in his complaint letter dated 24/11/2023 that "I, the Junior Engineer in-charge of Haddo Circuit House under SD No. IV of Port Blair North Division, APWD, Port Blair on coming across exorbitant charges of electricity bill in respect of above consumer numbers which stand installed at Haddo Circuit House, Port Blair, had petitioned to the Assistant Engineer-in Charge on 23rd June 2023 bringing to his attention the exorbitant charges being levied for monthly consumption charges incommensurate with actual consumption.

Thanks to his timely action, the bill amount of subsequent month had come down in tandem with the actual consumption which we gauge using occupancy levels of rooms as no appliances are run in vacant rooms.

Accordingly, bill for the next three months from July 2023 to September 2023 had been charged in commensurate with the consumption. However, the bill for the month of October 2023 all of a sudden came with such an exorbitant amount which was nowhere near the bill amount of last three months and was almost double the amount of last three months.

Sir, whenever there was steep increase in the bill amount, the matter was being brought to the attention of AE concerned and the bills of next couple of months would come in commensurate with the consumption. But, after two three months, the bill amount would spike again regardless of the occupancy levels at the Circuit House.

Therefore, being aggrieved with the frequent fluctuations in the billing which often goes beyond the expected level, I am compelled to file this grievance with your good Commission for your kind intervention and resolving the matter please.



On behalf of the Department, we authorize Shri R Muruga, Work Assistant who is posted at the Haddo Circuit House to appear and respond to your queries regarding the subject grievance. A copy of his Driving License is enclosed herewith".

The complainant submitted driving license of the authorized person, electricity bill, which is kept in the case file **(Exbt.-3)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-I (HQ), Electricity Department on behalf of the Respondent/Licensee(ED) in his written submission vide letter No. EL/AE/SD-I/HQ/25-3/2023/650 dated 07/12/2023 stated that: -

- "1. The application received on 23.06.2023 from the Junior Engineer (Haddo) Circuit House regarding and made exorbitant billing (Enclosed) - Flag- 1.
2. E-mail sent to EESL by JE (Haddo) for energy meter test report & report received from EESL (Enclosed) Flag - 2.
3. The consumer bearing A/C No. A1/1457 and A1/1470 complaint regarding exorbitant electricity charges disproportionate to actual consumption at Haddo Circuit House vide APWD department letter No. JE/CH-TAPL/SD-IV/PBND/2022-23 dated 21/11/2023. Enclosed (Flag-3).
4. E-mail send to EESL 30/11/2023 from Junior Engineer (Haddo) site office to submit the meter testing report. (Enclosed) Flag -4.
5. EESL Submitted the energy meter test report of A/C No. A1/1457 & A1/1470 (Enclosed) Flag - 5.
6. The Junior Engineer (Haddo) site office inspected the premises of Circuit House, APWD (Haddo) and submitted the report of present connect load, earthing and neutral details of A/C No. A1/1457 & A1/1470 (Enclosed) Flag 6.

As directed by the Forum of the following documents are submitted for consumer bearing A/C no. A/1457 & A1/1470.

7. Consumer Profile (Ledger Sheet) - January 2022 to till date - Flag-7.
8. EESL online reading report - January 2022 to till date - Flag-8.
9. Meter reading book - January 2022 to till date - Flag - 9.

The Respondent/Licensee(ED) has submitted enclosures vide his letter No. EL/AE/SD-I/HQ/25-3/2023/650 dated 07/12/2023, which is kept in the case file **(Exbt.-4)**.

Forum's Observation

The Forum inspected the complainant premises on 30/11/2023 and found that the connected load of consumer nos. A1/1470 and A1/1457 is more than 100 KVA and the CT installed at the metering side is also not proportionate to the actual connected load. The Forum further noted that LT

meter is connected instead of HT meter. LT meter is not measured properly, a single earthing was found in four building, higher connected load with less capacity of CT installed and hence, CT shows current bypass. The present connected load should be upgraded as per JERC Regulation and the defect noted by the Forum during the inspection should be immediately rectified by the Respondent/Licensee (ED).

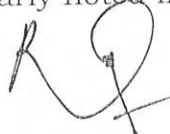
The Forum has gone through the replies filed by the Respondent/Licensee (ED) vide letter dated 07/12/2023 with enclosures wherein it was noted that the present connected load with CT is not as per actual load. As per EESL report from 17/10/2023 to 16/11/2023, meter No. GOEGP7800048 recorded as current bypass is 9 counts and voltage unbalance is 9 counts.

The Forum further noted that there is a huge difference between the sanctioned connected load and present connected load both bearing consumer No. A1/1470 and A1/1457 and the same was not informed to the consumer through notice, which also results in revenue loss to the Government in terms of collection, as fixed charges are calculated on the basis of connected load, which is a violation of JERC Regulation No. 23/2018.

During the Hearing on 14/12/2023, the Forum directed to the Respondent/Licensee (ED) to provide suitable CT in metering circuit for accurate measurement and earthing, wiring, neutral should be inspected and serve a notice as per JERC Regulation. The Forum further, directed to the Respondent/Licensee (ED) to take appropriate step for up-gradation of present connected load as per JERC Regulation. Later, on 19/12/2023, the Respondent/Licensee (ED) submitted a reply vide letter No. EL/AE/SD-1/HQ/25-3/2023/680 dated 18/12/2023, which is kept in the case file (Exbt.-5).

The Forum recorded the statement submitted by the complainant consumer vide Letter No. JE/CH-TAPL/S.D-IV/PBND/2022-23 dated 06/12/2023 which read as *"we have reached an amicable settlement with the Junior Engineer concerned of Electricity Department at Haddo Section Office and hence, I deem it apt to withdraw the said complaint. Therefore, my complaint dated 24/11/2023 may be treated as withdrawn with immediate effect please"*, and the Forum has accepted the plea of the complainant to withdraw the complaint.

Thus, this Forum has come to the conclusion, that both parties are satisfied with their decisions and amicable settled outside the Forum, hence, the case is closed with specific direction to the Respondent/Licensee (ED) and the complainant consumer, which is particularly noted in this instant case.



Hence,

It is Ordered:

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 Case No. 304 is hereby closed with specific direction to the Respondent/Licensee (ED) and the complainant consumer.
2. The Respondent/Licensee (ED) is directed to rectify the issue of '**current bypass**' recorded in the smart meter report immediately, in consultation with the EESL and the consumer, as per norms/clause of JERC Regulation under intimation to the Forum.
3. The Respondent/Licensee (ED) is directed to inspect the premises and check earthing, neutral etc. and if any fault is found then serve a notice to rectify the same immediately as per JERC Regulation, which was not done in this instant case.
4. The Respondent/Licensee (ED) is directed to immediately take appropriate step for up-gradation of present connected load as per JERC Regulation No. 23/2018 under intimation to the consumer, which has not been done in this instant case.
5. The Respondent/Licensee (ED) is directed to upgrade the CT meter bearing consumer No. A1/1470 & A1/1457, according to the present connected load as per JERC Regulation No. 23/2018.
6. The Respondent/Licensee (ED) is directed to provide HT meter instead of LT meter bearing consumer No. A1/1470 & A1/1457 as per JERC Regulation No. 23/2018.
7. The Respondent/Licensee (ED) is also directed to provide a dedicated transformer as per JERC Regulation No. 23/2018.
8. The Respondent/Licensee (ED) is also directed to take appropriate steps to enable remote disconnection facility on the smart meter in consultation with EESL for timely disconnection of defaulting consumers as per JERC Regulation No. 23/2018.
9. The Respondent/Licensee(ED) is directed to conduct a drive to update the connected load of the consumer by giving a definite time period for self disclosure by the consumer or to update the connected load by field staff on war foot basis, as connected load are increased by many consumers without information of the Licensee (ED), which also results in revenue loss to the Government in terms of collection, as fixed charges are calculated on the basis of connected load.



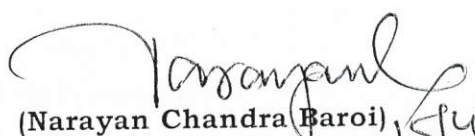
- AG (IT)
10. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 26/2019 under Clause 27(1). **Further, from Sl. No. 2 to 9 of the above said direction copy is also submit alongwith compliance.**
 11. As per JERC Regulation No. 26/2019 under Chapter-IV of 27, 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.
 12. 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.

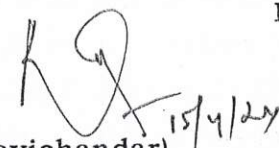
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot 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 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), 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)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF