

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 (JERC Nominated).

In the matter of :

Shri. Rubdeep Singh, Manager/ Proprietor, M/s Silver Sand Village Resort, Vijaya Nagar, Swaraj Dweep, S/Andaman bearing Consumer No. Z/3018 (Hotel).

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/CGRF/321/23-24/53 dated 05/03/2024
Complaint : Excess Billing bearing Consumer No. Z/3018 (Hotel)
Date of Hearing : 08/08/2024
Date of Order : 09/08/2024

ORDER

Background

In continuation of Forum's Order dated 15/05/2024, the complainant, M/s Silver Sand Village Resort, Vijaya Nagar, Swaraj Dweep, S/Andaman approached the Electricity Ombudsman on 28/06/2024 vide Appeal No. 215 of 2024. Subsequently, the Hon'ble Electricity Ombudsman passed an Order dated 30.07.2024 wherein the Ld. CGRF Orders were upheld alongwith specific directions given to the complainant and the Respondent/Licensee (ED).

Under this circumstances, the complainant once again approached the Electricity CGRF, A&N Islands vide R.D. No. 669 on 01/08/2024, requesting five installments to clear the dues/arrears amount against Consumer No. Z/3018 (Hotel).

The complaint was forwarded to the Assistant Engineer (Havelock), Electricity Department on 02/08/2024 and to the Executive Engineer(SAD), AE(W/shop), Nodal Officer (CGRF), Electricity Department, for attending the Hearing fixed on 08/08/2024 at 10:30 am in the Hearing Hall of the Electricity CGRF, Horticulture Road, Haddo Port Blair. A copy of this letter was also endorsed to the complainant for attending the Hearing on 08/08/2024 at 10:30 am to make a submission.





Hearing on 08/08/2024

The Hearing was held on 08/08/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. Rubdeep Singh, Complainant.
- (ii) Shri. Rakesh Sharma, AE(H/lock), Elect. Dept.
- (iii) Shri. Shakil Ahmed, SBEO, Elect. Dept.

Statement of the Complainant

Complainant Shri. Rubdeep Singh, Proprietor, M/s Silver Sand Village Resort, Vijaya Nagar, Swaraj Dweep, South Andaman stated in his letter dated 02/08/2024 that *"Order passed by Electricity Ombudsman for Goa & UTs dated 30th July 2024, where he has ordered to clear the dues within two weeks from the date of order. In this regards, we would request you to kindly direct Electricity Department to give us five equal installments to clear the dues as paying such a huge amount of Rs. 22,13,562/- (Rupees Twenty Two Lakhs Thirteen Thousand Five Hundred Sixty Two only) together in one go is very difficult as off session is going on.*

Therefore, I request you to kindly direct the concerned authority to give us five installments to clear the dues".

The complainant's letter dated 02/08/2024, which is kept in the case file (Exbt.-1).

Submission of the Complainant

The complainant Shri. Rubdeep Singh, Proprietor, M/s Silver Sand Village Resort submitted that he want to make payment of all pending electricity bills of 7 months in five installment bearing Consumer No. Z/3018 (Hotel), because it's a huge amount of Rs. 22,13,562/-.

Submission of the Respondent/Licensee (ED)

The Assistant Engineer (H/Lock), Electricity Department submitted on behalf of the Licensee (ED) that it will be better, if the consumer make all payment in three installments without bifurcating the monthly billings.

Forum's Observation

After details hearing from both the parties, the Forum observed that as per the Electricity Supply Code Regulations 2018 under Section 7.39 states that the Licensee / Respondent (ED) may frame a scheme for providing facility of payment of bill in installment for consumers who are for the time being under financial distress to continue the supply of electricity.



Hence, the Forum enquired about any scheme framed by Respondent (ED). The AE (H/lock), Swaraj Dweep, Electricity Department informed that the same was checked with IT wings and confirmed that the installment facilities is available in the existing billing software.

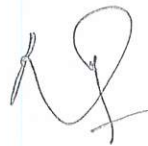
Hence, the Forum decided to allow the consumer to make payment in five installment alongwith monthly current bill as per the Electricity Supply Code 2018, Regulation of JERC.

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:-

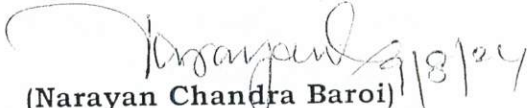
1. The Case No. 321 is hereby closed with specific direction to the Respondent/Licensee (ED) and the complainant consumer.
2. The Hon'ble Electricity Ombudsman, JERC's Order dated 30/07/2024 remains unchanged due to lack of jurisdiction.
3. Furthermore, the Forum accepted the complainant's plea regarding payment in five installments and directs the Respondent/Licensee (ED) to collect the payment in five installments alongwith the current electricity bills bearing Consumer No. Z/3018 (Hotel).
4. The Complainant is directed to pay all pending electricity bills in five installments alongwith the current electricity bills bearing Consumer No. Z/3018 (Hotel) in consultation with the Respondent/Licensee (ED).
5. 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. 3 & 4 of the above said directions compliance should be provide with supporting documents, if any.**
6. 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.
7. 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.



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


(Biji Thomas)
Independent Member
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF