

TIME BOUND
FORUM MATTER

अण्डमान तथा निकोबार द्वीप समूह
उपभोक्ता शिकायत निवारण फोरम
(विद्युत अधिनियम 2003 की धारा 42(5) के तहत स्थापित)
पोर्ट ब्लेयर/Port Blair – 744 101

Andaman & Nicobar Islands
CONSUMER GRIEVANCES REDRESSAL FORUM
Estd. Under Section 42(5) of the Electricity Act (2003)
Port Blair – 744 101

Email ID : cgrf.and@nic.in/andcgrf@rediffmail.com, Telephone & Fax No. 03192-244822

F. No. ANI/CGRF/10-301/210

Dated: 5/12/2023

To

Shri. P. Bhimeshwar Rao,
S/o Late P. Harinath Babu,
R/o Sippighat village,
Port Blair

- (Complainant)

The Assistant Engineer-IV,
Electricity Department,
Port Blair,
South Andaman

- (Licensee's Authorised Officer)

Sub : Providing New Electric Connection (Domestic) – reg.

Ref : Complaint No. ANI/CGRF/301/23-24/33 dated 31/10/2023.

Sir,

Enclosed please find herewith certified copy of the Order dated 04/12/2023 passed by the Electricity CGRF on the above complaint, for compliance and suitable action at your end.

Yours faithfully

Encl : Order Dated 04/12/2023

1-
(R. Ravichandar)
Chairman
Electricity CGRF

Copy to: -

1. The Electricity Ombudsman, JERC, Gurugram, Haryana alongwith certified copy of Order dated 04/12/2023 for information.
2. The Superintending Engineer, Elect. Dept., Port Blair alongwith certified copy of Order dated 04/12/2023 for necessary action.
3. The Executive Engineer (SAD), Elect. Dept., Port Blair alongwith certified copy of Order dated 04/12/2023 for necessary action.
4. The Assistant Engineer (Workshop), Nodal Officer for CGRF, Elect. Dept. alongwith certified copy of Order dated 04/12/2023 for necessary action.
- ✓ 5. The Assistant Engineer (IT), Elect. Dept. alongwith certified copy of Order dated 04/12/2023 and directed to upload the said Order in the online website of the CGRF, A&N Islands under intimation to this Forum.
6. F. No. ANI/CGRF/0-3.


Chairman
Electricity CGRF

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. P. Bhimeshwar Rao, S/o Late P. Harinath Babu, R/o Sippighat village, Port Blair.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/CGRF/301/23-24/33 dated 31/10/2023
Complaint : Providing New Electric Connection (Domestic)
Date of Hearing : 07/11/2023
Date of Order : 04/12/2023



ORDER

Background

The complainant Shri. P. Bhimeshwar Rao, S/o Late P. Harinath Babu, R/o Sippighat village, Port Blair filed a complaint through email dated 27.10.2023 vide R.D. No. 231 dated 31/10/2023 for providing new electric connection (Domestic).

The complaint was forwarded on 01/11/2023 to the Assistant Engineer(W/shop), Nodal Officer (CGRF) for submitting para-wise comments and attending the Hearing fixed on 07/11/2023 at 11:30 a.m. in the Hearing Hall in the Office 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 07/11/2023 at 10.30 a.m.

The Respondent on behalf of Licensee (ED) was represented by Assistant Engineer-IV, Electricity Department filed his letter No. EL/AE/CD/3-21/2023/1103 dated 02/11/2023 submitted para-wise comments on behalf of the Licensee/Respondent (ED), which was received by the Forum on 03/11/2023, which is kept in case file **(Exbt.-1)**.

Hearing on 07/11/2023

The Hearing was held on 07/11/2023 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. P. Bhimeswar Rao, Complainant (Absent).
- (ii) Shri. Sandeep Mukherjee, AE (W/shop), Nodal Officer (CGRF).
- (iii) Shri. Rajesh Singh, AE-IV, Elect. Dept.

Statement of the Complainant

The complainant Shri. P. Bhimeswar Rao stated in his complaint email dated 27/10/2023 that "I applied for a new meter connection on 27/07/2023 online application No. 15830, my application is delayed in 2 months and 23 days. I have attached the application form and the current status of my application.

I request you please solve my problem as soon as possible".

The complainant submitted photocopies of online application dated 15830 dated 27/07/2003 with application status, which is kept in the case file.

In this instant case, the complainant was not attending the Hearing even though he had informed over phone that he was hospitalized and unable to attend the Hearing. Further, he stated that the new electricity connection was provided by the Respondent/Licensee(ED) on 04/11/2023, hence, no grievance is pending till now and he is also satisfied with the completion of the work.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer (C/D) on behalf of the Respondent/ Licensee(ED) in the written submission letter dated 02/11/2023 has stated that: -

- "1. The Applicant applied for providing 1 phase Domestic NSC in online mode vide Application No.15830 dt 27/07/2023 to the A.E. (Chouldhari).
2. The said application was forwarded to J.E (Sippighat) in the month of August 2023.
3. The site office scheduled for inspection on 22/08/2023.
4. The staff was deployed for the inspection, but the applicant was not available at Port Blair, so inspection of internal wiring could not be done.
5. The applicant approached the site office for carrying out the inspection on 03/10/2023.

6. *So the inspection was carried out, but it was found that the total connected load is 5072/ watts i.e. beyond the ambit of single phase, also ELCB/RCCB was not installed.*
7. *So he was advised to reduce some load and put ELCB or RCCB and intimate to the site office.*
8. *But the applicant did not turn up, and moved to Hon'ble CGRF.*
9. *Again on verification over phone to him, by the site office on 01/11/2023, in Forenoon he confirmed that he has not yet installed ELCB or RCCB.*
10. *He installed ELCB, 40Amps/ 100MA on 01/11/2023(AN).*
11. *Again the site office staff deployed to check the status of ELCB on 02/11/2023.*
12. *On re-verification of the Connected load found was 2339 Watts and internal wiring complete in all respect.*
13. *So inspection report was forwarded by JE Sippighat on 02/11/2023 and after verification the same may be return to JE sippighat site office for prepare Estimate .The connection will be provided as soon as the codal formalities is completed.*
14. *Here it becomes, pertinent to mention that the delay caused was due to non availability of the applicant at Port Blair, Internal wiring to be incomplete and non communication of the party. Nothing deliberate on the part of department please”, which is kept in the case file.*

Forum's Observation

The Forum visited the Sippighat Site Office on 01/11/2023 based on the complaint filed by the complainant and enquired about the present status of the new connection applied by the complainant on 27/07/2023. The staff available in the site office informed that the inspection was conducted by the JE (Sippighat) on 22/08/2023 and found that the total connected load was above 5 KW and ELCB/RCCB was not installed. As per the JERC Regulations if the connected load is above 5 KW, the connection is to be treated as 3 phase, accordingly, instruction were given orally to the consumer to reduce the connected load within the limit of single phase connection.

At the time of Hearing on 07/11/2023, the Respondent/Licensee (ED) informed the Forum that new electric connection was installed at the consumer premises on 04/11/2023.

The Forum observes that Respondent/Licensee (ED) has not given any clear-cut direction/instructions in writing after receiving the application for connection from the complainant.

The Forum observed that entire correspondence between the Respondence/Licensee (ED) and the complainant was oral. This is the



negligence of the departmental staff on their part that they did not take any action in writing on time to providing new electricity connection.

The Forum observes that the **Processing of Application Form** for providing new connection was not followed under **JERC Regulation No. 23/2018 (Electricity Supply Code)** read as : -

“Processing Application Forms

5.35 For all application forms pertaining to release of supply of new connections, the Licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete, the Licensee shall acknowledge its receipt on the spot. In case the application is submitted online, the Licensee shall issue a written note regarding shortcomings in the application within 3 working days from the date of submission of application”.

The Respondent/Licensee (ED) has not followed the directions laid down in the JERC Regulation of **“Electricity Supply Code Regulation 2018”** for providing connection, which has resulted in delayed in this instant case. Hence, a **‘Circular’** should be issued to all field officers to respond on time as per the timelines prescribed by JERC Regulations and Guidelines on any complaints received either in writing or orally.

Further, if any applications are pending for releasing new connection on his jurisdiction, it should be processed immediately and if any delay due to unavoidable circumstances to be given in writing to the applicant for avoiding further litigation.

The Forum comes to the conclusion that the new connection was provided to the consumer on 04/11/2023 and the complainant is satisfied and no grievance is pending against the department, hence, the case is closed with specific direction to the Respondent/Licensee (ED).

Hence,

It is Ordered:

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

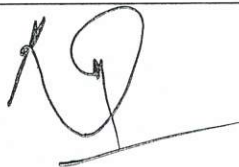
1. The complaint No. 301 is hereby closed with specific direction to the Respondent/Licensee (ED).



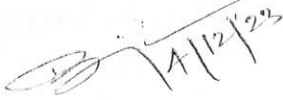
2. The Respondent/Licensee (ED) is directed to issue a '**Circular**' to all field officers to respond in time as per the timelines prescribed by JERC Regulations and Guidelines on any complaints received either in writing or orally.
3. The Respondent/Licensee (ED) is directed to follow the directions laid down in the JERC Regulation of "**Electricity Supply Code Regulation 2018**" for providing new connection. Further, if any applications are pending for releasing new connection on his jurisdiction it should be processed immediately and if any delay due to unavoidable circumstance it should be given in writing to the consumers, which was not done in this instant case.
4. The Respondent/Licensee (ED) is directed to provide proper training to all field staff regarding "**Electricity Supply Code Regulation 2018**" and other connection related matters and also special training to field staff dealing with public for effectively and efficiently providing quality services to the public in time under intimation to this Forum.
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).
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.

"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**".

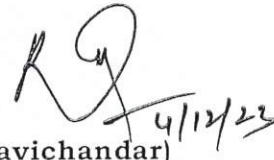
[Annexure – IV Appeal Form can be collected from the office of the Forum on any of the working days].



A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (SAD), Nodal Officer (CGRF), Assistant Engineer-IV, 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)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

X X X

AE (IT)