

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

Before:

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

In the matter of:

Shri. Sunirmal Gharami, S/o Late N.K Gharami, R/o Vijay Nagar No. 5, Swaraj Dweep, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 43/2024 dated 02/12/2024.
Complaint : Non-usage of Meter (Commercial)
Date of Hearing : 18/12/2024
Date of Order : 23/12/2024



ORDER

Background

The complainant Shri. Sunirmal Gharami, S/o Late N.K Gharami, R/o Vijay Nagar No. 5, Swaraj Dweep, South Andaman, filed a complaint vide R.D. No. 902 dated 02/12/2024 regarding Non-usage of Meter (Commercial).

The complaint was registered as ANI/C.G. No. 43/2024 and forwarded on 04/12/2024 vide letter No. ANI/CGRF/10-366/565 to the Nodal Officer (CGRF), Executive Engineer (SAD) and Assistant Engineer(Swaraj Dweep), Electricity Department for submitting reply/comments and attending the Hearing fixed on 18/12/2024 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 18/12/2024 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2024/631 dated 13/12/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 918 dated 16/12/2024 (the letter is kept in case file) (**Exbt. -1**).

Hearing on 18/12/2024

The Hearing was held on 18/12/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri Rajesh Singh AE -in charge of Swaraj Dweep

The complainant has not attended the hearing.

Submission of the Complainant

The complainant Shri. Sunirmal Gharami, S/o Late N.K Gharami, R/o Vijay Nagar No. 5, Swaraj Dweep, South Andaman stated in his complaint letter dated 02.12.2024 that *"I have one commercial meter, meter No. is Z/2844. This meter is not being used since 2021 because this meter is inside the shed where electricity supply exists but as the house is destroyed hence electricity is not being used. The meter reader and JE Swaraj Dweep, Electricity Department knows about this. The meter charges rate changes after every 4-5 months. From 04/2021, the fixed charges per month was Rs. 45. There was no connected load written in the bill. But after some time, the connected load of 4 KW was charged in the bill as previously I had stated in my application dated 14-10-2024 to the Junior Engineer Swaraj Dweep and to the Assistant Engineer, Sri Vijayapuram, Haddo. The reply which I had received, was not satisfactory because there is no house. The house has been demolished but still connected load charges is being generated in the bill. Hence, I request you to take necessary action."*

The complainant contended that although their commercial meter (No. Z/2844) is installed in a functional shed, no electricity has been used since their house was demolished in 2021. They alleged that fixed charges for a connected load of 4 KW continue to be imposed unjustifiably, despite prior intimation to the Junior Engineer and Assistant Engineer. Dissatisfied with the departmental response, they requested intervention to rectify the billing charges.

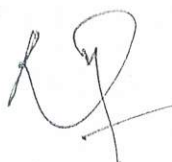
The complainant enclosed photocopies of application submitted to the Junior Engineer & Assistant Engineer, monthly bill, and payment receipt, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer (Swaraj Dweep) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/SH-SW/1-55/2024-25/676 dated 13/12/2024 stated that: -

"With reference to the communication received from CGRF vide letter No. ANI/CGRF/10-366/565 dated 04/12/2024, regarding Consumer No. Z/2844, we were instructed to submit a reply to your esteemed office. Accordingly, the matter has been thoroughly examined, with inputs sought from the Junior Engineer (T&D), Swaraj Dweep.

I. Findings from the Junior Engineer's Report:



The consumer is associated with energy meter No. Z/2844 (Commercial Single Phase) with a connected load of 4 KVA. The consumer raised concerns regarding varying charges for different months since 2021. The following table explains the charges incurred in respect the disputed month.

Month	Unit Consumed	Fixed Charges	Meter Rent	Amount
11/2021	0	Rs. 30/-	Rs. 15/-	Rs. 45/-
01/2022	12 (12*7.5=Rs90/-)	Rs. 30/-	Rs. 15/-	Rs. 135/-
04/2023	0	Rs. 35*4=140/-	Rs. 15/-	Rs. 155/-
07/2024	0	Rs. 50*4=200/-	Tariff arrear on fixed charges amount 06/204 Rs. 30/-	Rs. 230/-
08/2024	0	Rs. 50*4=200/-	0	Rs. 200/-

II. Observations on Consumption Claims:

The consumer claims that the house connected to the meter was destroyed and that no electricity has been consumed since 2021. However, during an inspection, it was observed that the existing meter was replaced with a smart meter in December 2021. Monthly readings indicates that electricity consumption continued until September 2022.

III. Pending Report from EESL:

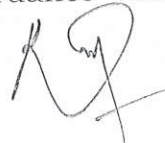
A request has been sent to EESL for the consumer profile and a detailed report of the smart meter. Same is still awaited, and a copy of the email correspondence is attached for your reference.

This is submitted for your kind information.”

The AE-I(HQ), Electricity Department enclosed photocopies of email forwarded to EESL, which is kept in the case file **(Exbt. -3)**.

Submission of the Respondent (Licensee)

The respondent submitted their response, indicating that meter No. Z/2844 was replaced with a smart meter in December 2021. Historical data suggests consumption until September 2022, contradicting the complainant's claims. Fixed charges are applied in accordance with JERC-approved tariff



rates for a 4 KVA connected load. A detailed EESL report on the consumer profile remains pending, but existing records justify the billed charges.

Forum's Observation

The complainant, associated with a commercial electricity meter (No. Z/2844), claims that their demolished house has rendered the meter unused since 2021. Despite this, they alleged that unjustified fixed charges based on a connected load of 4 KVA are being imposed. The electricity department maintains that charges are as per JERC-approved tariffs, supported by smart meter records showing usage until late 2022. The complainant seeks relief, citing a lack of electricity usage, while the department defends its billing practices.

The complainant stated that they possess a commercial electricity meter (No. Z/2844) installed inside a shed where electricity exists but remains unused since 2021 due to the demolition of their house. Despite this, fixed charges are being levied based on a connected load of 4 KW, which, according to the complainant, is unjustified. The complainant submitted an application on 14-10-2024 to the Junior Engineer, Swaraj Dweep, and Assistant Engineer, Haddo, seeking rectification of these charges. Dissatisfied with the response received, the complainant seeks necessary action to adjust the charges, given the lack of electricity usage.

The Respondent submitted their reply based on inputs from the Junior Engineer (T&D), Swaraj Dweep, highlighted that the meter was replaced with a smart meter in December 2021, and records indicate consumption until September 2022. Charges are levied as per fixed tariff rates approved by JERC. A detailed report from EESL regarding the consumer's smart meter profile is pending, and interim clarifications were provided to the complainant. The respondent confirmed that fixed charges for the 4 KVA connected load are being applied correctly.

The Forum observed that the complainant failed to attend the hearing. Fixed charges may vary due to periodic tariff hikes approved by JERC. The AE clarified that bills are raised as per the fixed charge rate of ₹50 per KVA for a 4 KVA load, amounting to ₹200 per month. The forum deemed that the respondent's explanation valid and aligned with applicable regulations.

The Forum directs the respondent to inspect the premises and assess the present connected load of the complainant's premises based on his observation and the fixed charges may be levied accordingly if any variations on fixed charges due to tariff hike may be informed to the consumer on time.

Hence,

It is Ordered:

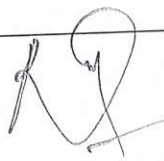
After detailed deliberations, submissions, and documents produced before the Forum, and based on the observation so reached, the following Order is passed: -



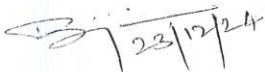
1. The Case is closed with specific directions to the complainant and the Respondent/Licensee (ED).
2. The Forum directs the respondent to inspect the complainant's premises and access the present connected load based on his observation and the fixed charges may be levied accordingly.
3. If any variation due to the Tariff hike may be informed to the consumer on time through wide publicity via media, newspaper, and announcement through panchayat office.
4. It is mandatory to pay the fixed charges to the respondent irrespective of usage of electricity as per the JERC approved tariff order according to each financial year.
5. The Complainant is instructed 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. 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.
7. 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.
8. 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.

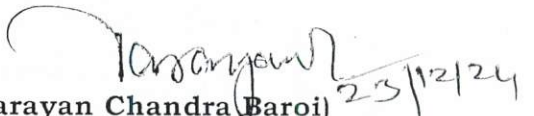
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog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

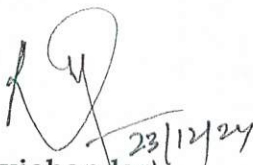
[Annexure - IV Appeal Form can be collected from the office of the Forum on any of the working days].



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

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