

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 :

Smti. Raseeda, W/o Shri. V.T. Usman, R/o Calicut, Port Blair bearing Consumer No. J/6965 (Domestic).

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/CGRF/313/23-24/45 dated 08/01/2024.
Complaint : Excess Billing bearing Consumer No. J/6965 (Domestic)
Date of Hearing : 24/01/2024
Date of Order : 27/02/2024



ORDER

Background

The complainant Smti. Raseeda, W/o. Shri. V.T. Usman, R/o Calicut, Port Blair filed a complaint vide R.D. No. 381 dated 08/01/2024 regarding excess billing bearing Consumer No. J/6965 (Domestic).

The complaint was forwarded on 09/01/2024 to the Assistant Engineer (Workshop), Nodal Officer (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 24/01/2024 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 24/01/2024 at 10.30 a.m.

Due to administrative reason, the Forum decided to adjourn the complaint and reschedule the Hearing on 29/01/2024 and hence issued Forum vide letter No. ANI/CGRF/10-313/259 dated 16/01/2023 and directed the Respondent (Licensee) to attend the Hearing on 29/01/2024 alongwith submit reply/comments on behalf of the Licensee/Respondent (ED). Meter reader should be present with reading books in this instant case for checking

of meter readings. A copy of this letter was also endorsed to the complainant for attending the Hearing on 29/01/2024, which is kept in case file **(Exbt.-1)**.

In the meantime, the complainant Smti. Raseeda has submitted a letter dated 23/01/2024 regarding withdrawal of complaint wherein states that *"after careful consideration and communication with the relevant authorities, I am pleased to inform you that the issue has been successfully resolved to my satisfaction. Therefore, I kindly request the CGRF Electricity to officially close my case and mark it as resolved. I trust that this withdrawal will be duly noted in your records"*, which is kept in the case file **(Exbt.-2)**.

Hearing on 29/01/2024

The Hearing was held on 29/01/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. Rajan, JE, Elect. Dept.

Statement of the Complainant

Complainant Smti. Raseeda stated in her complaint letter dated 08/01/2024 that *"today my husband Shri. V.T. Usman visited Site Office, Birdline to lodge complaint against abnormal billing consumer no. J/6965 (Domestic), but they did not accept my complaint, hence, I lodged my complaint directly to Hon'ble CGRF, Port Blair.*

Sir, new electricity meter was installed in October 2023 and after that no bill has been issued till date. Later, I received SMS regarding bill amount at the end of the December 2023 and accordingly, I have paid all the electricity bills i.e. October & November 2023 vide receipt dated 30/12/2023 (copy enclosed). Further, I had paid Rs. 939 + Rs. 7128/- for providing new connection (domestic), which is very high for single phase (copy enclosed). Kindly examine/inspect and if paid, any excess amount, may be refund/adjust in future bills.

I had paid first bill for 2 months i.e. October and November 2023 at CSC centre, which is very high i.e. Rs. 5815/-. In this regard, I request to you kindly inspect/examine in my premises and as per consumption unit used by us may be provided the bills and excess paid may be adjust or refund at the earliest.

Prayer

1. *I had paid Rs. 939 + Rs. 7128/- for providing new connection (domestic), which is very high as per single phase connection. Kindly examine/inspect and if paid any excess amount, kindly refund or adjust in my future bills.*
2. *Kindly provide monthly bill in each month, which was not done yet.*

3. *Kindly rectify the electricity bill from October 2023 onwards and provide the bill as per consumption units used in my premises”.*

The complainant submitted electricity Urja Pay online bill, NOC from the owner and Aadhaar Card as ID proof, which is kept in the case file **(Exbt.-3)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-III(HQ), Electricity Department on behalf of the Respondent/Licensee(ED) has not filed any reply against complaint. The Forum has taken seriously, the negligence part of the Respondent/Licensee(ED) for not timely filed the reply statements.

Submission of the Respondent/Licensee (ED)

The Junior Engineer, Birdline Site Office, Electricity Department attended without any authorization from AE-III, Electricity Department. Due to disposal of the complaint, the Forum accepted the plea of the JE and also directed to submit the authorization letter after the Hearing.

The JE submitted that the complaint has been successfully resolved satisfactorily; hence, no complaint is pending against the complainant.

Forum's Observation

The Forum observed that the AE (W/Shop), Nodal Officer (CGRF) was absent during the Hearing and telephonically informed that he was engaged in departmental recruitment process. The AE-III authorized officer of the Electricity Department (Licensee) is also absent without intimation and his absent has been taken seriously by the Forum.

The Forum noted that neither the AE(W/shop), Nodal Officer (CGRF) nor the AE-III, Electricity Department submitted reply/para-wise comments on behalf of the Respondent (Licensee), which would indicate negligence on their part.

The Forum had several times directed AE-III, Electricity Department to submit the para-wise comments/reply in time. The AE-III(HQ) is not taking the Order of CGRF seriously, and accordingly warned him in the open Forum, earlier vide Complaint No. ANI/CGRF/10-290/23-24/21 dated 01/08/2023 in the matter of Dr. Kreetika Singh - vs - Electricity Department (Licensee) and the same was Ordered on 21/09/2023 and mentioned that the same should not be repeated again in future complaints. Now, the Forum once again noted the repeated negligence on the part of the AE-III, Electricity Department not taking the CGRF direction/instruction seriously and hence, appropriate warning should be given to the Respondent/Licensee (ED), in this instant case.



During the Hearing on 24/01/2024, the Forum directed the JE(Birdline) to submit para-wise comments/reply with enclosures, as directed by the Forum vide letter dated 09/01/2024. Later on 08/02/2024 the Forum received Consumer Ledger/profile (w.e.f. 01/2018 to 12/2023), Smart Meter monthly consumption report (w.e.f. 01/2022 to 12/2024) of EESL, which is kept in the case file **(Exbt.-4)**.

The Forum noted in the consumer ledger/profile that only 181 units were raised by the Respondent/Licensee (ED) from 03/2018 to 09/2022 for more than 4½ years. Later, the Respondent/Licensee (ED) started recovering the excess units recorded in the smart meter from 10/2022 to 12/2023 in the consumer bills. Meter reader and Junior Engineer of the concerned division were not monitoring sincerely in this particular case of Consumer No. H2/4090 for more than 4 ½ years, which resulted loss of revenue for government.

The Forum further noted that the EESL smart meter report with monthly units consumption is correct and no defect or current leakage or any other error found in the meter, whereas the bill was not raised as per units recorded in the smart meter, which shows negligence on part of the field staff of the concerned Site Office, due to which the department loss government revenue for more than 4 ½ years and now it been recovered through overbilling in the consumer's bill and hence, the consumer raised excess billing complaint before this Forum.

In this instant case, the Forum recorded the statement submitted by the consumer vide R.D. No. 418 dated 23/01/2024 against withdrawal of the complaint on successfully resolving, to the satisfaction of the complainant and the Forum has accepted the plea of the complainant to withdraw the complaint.

Thus, this Forum has come to the conclusion that the field staff of the concerned division area not doing their job sincerely on time and raised only 181 units for more than 4 ½ years from 03/2018 to 09/2022 bearing Consumer No. H2/4090 and now it was recovered through overbilling in consent with the consumer. However, both the Respondent/Licensee (ED) and the complainant has amicable settled outside the Forum with satisfaction, hence, the case is closed with specific direction to the Respondent/Licensee (ED), 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:-



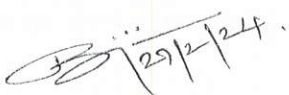
1. The Case No. 313 is hereby closed with specific direction to the Respondent/Licensee (ED).
2. The Respondent/Licensee (ED) is directed to instruct the Assistant Engineer (W/shop), Nodal Officer(CGRF) and the Assistant Engineer-III, Electricity Department to file timely reply/comments, which has not been done in this instant case.
3. The Respondent/Licensee (ED) is directed to issue a '**Memo**' to the concerned field staff of the area during posted the said period i.e. 03/2018 to 09/2022, who were not done their work/job sincerely on time as per JERC Regulation No. 23/2018 and raised only 181 units for more than 4 ½ years bearing Consumer No. H2/4090, which is a huge loss of government revenue.
4. The Respondent/Licensee (ED) is directed to inspect the concerned site office mentioned above, in respect of similar problem against average units billed by the field staff of the area to any consumer, and if found error, necessary steps should be taken accordingly as per JERC Regulation to avoid any future litigation.
5. The Respondent/Licensee (ED) is directed to issue a warning '**Notice**' to the AE-III against absence during the Hearing and defending the Respondent's case without prior intimation to the Forum as well as non-submission of reply/para-wise comments timely as per JERC Regulation.
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. 26/2019 under Clause 27(1). **Further, from Sl. No. 2 to 5 of the above said directions of compliance should be provide with supporting documents, if any.**
7. 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.
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.

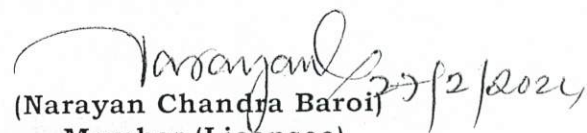


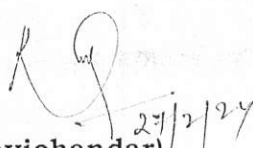
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot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

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