

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

Before:

Shri. R. Ravichandar, Chairman.
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Smti. Subhadra Roy, W/o Late Sripada Roy, R/o R.K Pur, Little Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/CGRF/338/24-25/15 dated 05/07/2024.
Complaint : Disconnection of electricity service Connection (Domestic)
Date of Hearing : 26/07/2024
Date of Order : 30/07/2024



ORDER

Background

The complainant Smti. Subhadra Roy, W/o Late Sripada Roy, R/o R.K Pur, Little Andaman, filed a complaint vide R.D. No. 637 dated 05/07/2024 regarding disconnection of electricity service connection (Domestic).

The complaint was registered as Case No. 338 and forwarded on 05/07/2024 vide letter No. ANI/CGRF/10-338/413 dated 05/07/2024 to the Nodal Officer (CGRF), Executive Engineer (SAD) and Assistant Engineer (Hut Bay), Electricity Department for submitting reply/comments and attending the Hearing fixed on 26/07/2024 at 10:30 a.m. in the Hearing Hall of the Electricity CGRF building at 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 26/07/2024 at 10.30 a.m.

The Assistant Engineer (Hut Bay), Electricity Department vide his letter No. EL/LA/AE/12-28/2023-24/402 dated 22/07/2024 submitted reply/comment on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 659 dated 23/07/2024 (the letter is kept in case file **(Exbt. -1)**).

Hearing on 26/07/2024

The Hearing was held on 26/07/2024 in the Hearing Hall of the Electricity CGRF building at Horticulture Road, Haddo, Port Blair at 10:30 a.m. The following were present: -

- (i) Smti. Subhadra Roy, Complainant.
- (ii) Shri. Suresh Kumar, AE(W/shop), NO(CGRF), Elect. Dept.

Statement of the Complainant

Complainant Smti. Subhadra Roy, W/o Late Sripada Roy, R/o R.K Pur, Little Andaman, stated in her complaint letter dated 05.07.2024 that *"I am the recorded tenant of landed property bearing survey no 62 and 236 situated at Ramkrishnapur village under Little Andaman Tehsil. I have wrote a letter and submitted to the Assistant engineer Hut Bay mentioning that no electric connection is to be provided any of my legal heir without my permission on dated 28.03.2024. But the Assistant engineer provided electric connection to Shri Pranab Roy on 15.06.2024 without my permission/intimation. I already having two nos. connection bearing no. 644 and 645.*

Therefore, you are requested to be kind enough to take anecessary action and disconnect the meter immediately".

The complainant enclosed copies of application addressed to the AE (Hut Bay), Form-F, Receipt for Land Revenue and Aadhaar Card as ID & address proof, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer (Hut Bay) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/LA/AE/12-28/2023-24/402 dated 22/07/2024 stating that *"Smti. Subhadra Roy w/o Late Sripada Roy, R/o Ramkrishnapur, Little Andaman has alleged that the Assistant engineer, electricity department Little Andaman has given an electric connection to Shri Pranab Kumar Roy, S/o Late Sripada Roy, R/o Ramkrishnapur, Little Andaman without her consent and has requested to disconnection of the energy meter immediately.*

In view of the above, it is to further submit that the electric connection to Shri. Pranab Kumar Roy is provided in respect of WPAno. 1071 of 2023 which is enclosed here with for ready reference.

The electric connection is provided to Shri Pranab Kumar Roy in compliance of the order passed by the hon'ble High court at Calcutta of WPA/ 1071 of 2023; Pranab Kumar Roy vs the Superintending engineer and others

It is therefore the complaint Smti Subhadra Roy, w/o Late Sripada Roy maybe quashed off as per the order passed by the hon'ble High court at Calcutta Bench sitting at Port Blair”.

The AE(Hut Bay), Electricity Department enclosed photocopies of order of Hon'ble High court (WPA no. 1071 of 2023), which is kept in the case file (Exbt. -3).

Submission of the Complainant

The Complainant Smti. Subhadra Roy, W/o Late Sripada Roy, R/o R.K Pur, Little Andaman stated that the electric connection was given to her son, Shri Pranab Kumar Roy, without her consent. She emphasized that the landed property belongs to her, and she has not given any NOC to her son for obtaining a new service connection.

Submission of the Respondent (Licensee)

The Assistant Engineer (Nodal officer), on behalf of the Respondent/Licensee (ED), reported that the electric connection to Shri. Pranab Kumar Roy was provided as per the directives in WPA No. 1071 of 2023 from the Hon'ble High Court at Calcutta. The respondent clarified that the connection was granted based on the court's order.

Forum's Observation

The Complainant stated that the electric connection was given to her son, Shri Pranab Kumar Roy, without her consent. She emphasized that the landed property belongs to her, and she had not given any NOC to her son for obtaining a new connection.

The Respondent, Assistant Engineer (AE), Hut Bay, Little Andaman, reported that the electric connection to Shri Pranab Kumar Roy was provided as per the directives in WPA No. 1071 of 2023 from the Hon'ble High Court at Calcutta. The respondent clarified that the connection was granted based on the court's order.

After reviewing the complainant's and respondent's statements, the forum concludes that the electric connection to Shri Pranab Kumar Roy was provided under the authority of a court order. As the connection was given in compliance with WPA No. 1071 of 2023 from the Honorable High Court at Calcutta, the forum does not have any jurisdiction to intervene in this matter.

Therefore, the Forum directs as follows: -

1. The complaint is dismissed due to lack of jurisdiction.
2. The parties are advised to seek redressal through the appropriate legal channels if they wish to contest the court's decision.



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: -

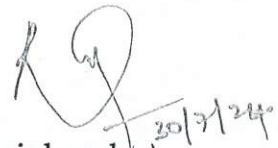
1. The Case No. 338 is hereby closed due of lack of jurisdiction.
2. The Complainant is advised to seek redressal through the appropriate legal channels if they wish to contest the court order.

"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 (Hut Bay), 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


(R. Ravichandrar)
Chairman
Electricity CGRF

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