

# BEFORE THE ELECTRICITY OMBUDSMAN

(For the State of Goa and Union Territories)  
Under Section 42 (6) of the Electricity Act, 2003  
3<sup>rd</sup> Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18,  
Gurugram (Haryana) 122015,  
Phone No.:0124-4684708, Email ID: [ombudsman.jercuts@gov.in](mailto:ombudsman.jercuts@gov.in)

**Appeal No.137 of 2021**

**Date of order: 25.02.2021**

Thiru Ignace,  
Puducherry

**.... Appellant**

**Versus**

The Superintending Engineer cum HOD,  
Electricity Department, Puducherry  
and others

**.... Respondents**

**Date of Order: 25.02.2021**

The Appellant has preferred an Appeal against the order of the Hon'ble CGRF, Puducherry in C.C. No.-50/2020 dated -05.01.2021. The appeal/representation cited above received in this office on 05.02.2021 through email was admitted for examination and consideration on 09.02.2021. Copy of the same as received was forwarded to the respondent with a direction to endeavour to settle the representation through mutual agreement within 10 days. If a settlement is achieved, a copy of the same be supplied to this office within 10 days. In case no settlement is achieved through mutual agreement, you are requested to file affidavit of your counter reply in the required format, to the appeal/representation within 20 days



from the date of this Admission Notice dated-09.02.2021, on behalf of Electricity Department, Puducherry.

(A) Submissions by the Appellant:

**Appellant submitted the brief facts as under: -**

**1. FACTS OF THE CASE**

(a). Appellant submitted that one Mrs.B.Maidily, a trespasser in his property is applying for a new connection vide application TC-27/A2 dated 023/7/2020 with fraudulent documents. My objections were not considered by the Electricity Dept. Puducherry. Hence preferred a complaint to Puducherry CGRF in CC-50/2020 dated-18/11/2020 (copy enclosed).

The final order passed by the Puducherry, CGRF is very vague. It does not direct the Puducherry Electricity Dept. to verify the authenticity of the fraudulent documents filed by Mrs.B.Maidily in her application TC-27/A2 dated 023/7/2020. Hence the Ombudsman may be pleased to pass the above directions

(b). Appellant vide email dated-19.02.2021 further confirmed that in compliance to directions to resubmit the appeal no. 137 of 2021 in the prescribed format, I am enclosing the said appeal in the prescribed form along with this mail. All the necessary documents are also enclosed herewith. A copy of the above-mentioned documents is being sent by post to your office. A copy of the above-mentioned documents is also being sent to the Superintending Engineer cum, Head of Department, Electricity Department, Puducherry.

Moreover, I would like to inform you that as per your directions the Superintending Engineer cum, Head of Department, Electricity Department, Puducherry had convened a meeting on 16.02.2021 at 11:00 hrs. And we had arrived at a settlement of the issue with mutual agreement. A copy of the said mutual agreement is also included herein. Hence, this appeal may be disposed as per law.

(B) Submissions by the Respondents :



Shri G.Kaniyamuthan, Executive Engineer (Urban)-Puducherry, on behalf of Superintending Engineer/Electricity Department, has submitted the following reply as under: -

1. As directed by the Hon'ble Ombudsman in respect of the appeal filed by Thiru. Ignace before the Electricity Ombudsman admitted vide Appeal No.137/2020 against the order of CGRF in CC/50/2020, a meeting has been convened by the Executive Engineer – Urban O & M, Electricity Department, Puducherry on 16.02.2021 to settle the representation through mutual agreement.
2. Thiru. Ignace, the appellant and Tmt. B.Maidily who has been residing in the said property were called for the meeting. The Junior Accounts Officer, the Assistant Executive Engineer and the Junior Engineer concerned were also present.
3. During the discussion, Thiru. Ignace expressed that since this is his property and as he wanted to repair the said property which is in dilapidated condition he is not agreeing to issue NOC as per section 5.30 of Electricity Supply Code 2018 and reiterated his stand of not to entertain any new service connection application in the name of Tmt.B.Maidily based on any other document.
4. In the above circumstances, it is also brought to the notice that Tmt. B.Maidily who had filed a separate petition to the CGRF seeking to issue direction to Electricity Department for new service connection in her name vide consumer case No.57/2020 has been rejected by the Hon'ble CGRF vide order dated 12.02.2021 on the grounds that the application is invalid.
5. The facts have been explained to Tmt.B.Maidily in this regard and since she did not produce any documents as proof of ownership or occupancy as per Section 5.29 and 5.30 of Supply Code 2018, her application was already cancelled vide letter No.351/ED/AEE/T1-U4/F.7/2020-21 by Assistant Engineer –Town I.
6. In view of the above, it has been concluded that the request of the appellant not to extend a new service connection in the name of Tmt. B.Maidily has been agreed upon by the Electricity Department .



7. Hence, as directed by the Hon'ble Ombudsman, a settlement has been achieved between the Electricity Department and Thiru. Ignace, the appelland during the discussion. This is for your kind information please.

(C) CGRF Puducherry ,Order in C.C. No.-50/2020 dated -05.01.2021. , preferred for Appeal:

Hon'ble CGRF has passed the following order: -

Observation:

The case concerned more of the civil dispute which have to be solved by the competent authority and this Forum can issue directions only for complying Supply Code of JERC for effecting of power supply.

ORDER

- i. The Respondent No.2 has been directed to strictly follow provision of 5.29 and 5.30 of the Supply Code in processing the applications and take appropriate action as deemed fit.
- ii. Thus, the Complaint is allowed to the extent indicated.
- iii. The Complainant is at liberty to prefer an appeal against this Order before the Ombudsman.

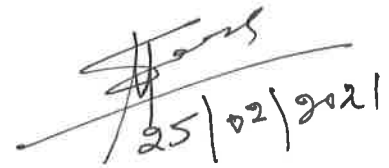
(D) DECISION: -

1. In view of the above, since both the parties have mutually agreed to reconcile the issue and Appellant has also confirmed that his grievance has been redressed by the Electricity Department, accordingly, the appeal of the Appellant is disposed of as mutually settled. However, no order has been passed on the merits of the case.
2. The Electricity Department/Licensee is directed to adhere to their mutual reconciliation as above.
3. In case, the Appellant or the Respondents are not satisfied with the above decision, they are at liberty to seek appropriate remedy against this order from the appropriate bodies in accordance with Regulation 37(7) of the Joint



Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2019.

4. The Electricity Department/Licensee should submit a compliance report to the office of Ombudsman on the action taken in this regard within 15 days of the issuance of this Order.
5. Non-compliance of the orders of the Ombudsman by the Electricity Department/Licensee shall be deemed to be a violation of Regulations and shall be liable for appropriate action by the Commission under the provisions of the Electricity Act, 2003.
6. The appeal is disposed of accordingly.

Handwritten signature of M.P. Singh Wasal and the date 25/02/2021.

(M.P. Singh Wasal)

Electricity Ombudsman

For Goa & UTs (except Delhi)

Dated 25.02.2021

