

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

Appeal No.165 of 2022

Date of Order :01.06.2022

Shri. K. Parasuram,
Andaman & Nicobar Islands
Port Blair

.... Appellant

Versus

The Superintending Engineer cum HOD,
Electricity Department,
Andaman & Nicobar Islands
Port Blair and others

.... Respondents

Date of Order: 01.06.2022

The Appellant has preferred an Appeal for Non-passing of order by Ld. CGRF- Andaman & Nicobar Islands within prescribed time limit. The appeal/representation received in this office on 05.05.2022 by email and the same was admitted for examination and consideration on 06.05.2022. Copy of the same as received was forwarded to the respondents with a direction to endeavour to settle the representation through mutual agreement within 10 days. In case no settlement is achieved through mutual agreement, respondents should file the affidavit of counter reply in the required format, to the appeal/representation within 20 days from the date of Admission Notice.

Appeal No.165 of 2022



Page 1 of 4

(A) Submissions by the Appellant:

Appellant submitted the brief facts as under: -

1. **FACTS OF THE CASE: -**

- (i) Appellant submitted vide email dated-05.05.2022 that he has approached the Ld. CGRF on 24.09.2021 regarding his complaint for excess billing. He had received excess bill for Rs.65, 239/- for the month of September, 2021. Due to COVID-19 Pandemic his servicing center was closed from time to time and meter reader never visited his servicing center. Since no action was taken to dispose of the representation by Ld. CGRF-A&NI even after 6 months, therefore he has appealed to the Electricity Ombudsman for non-redressal of his grievance by the Ld. CGRF.

(B) Submissions by the Respondents: -

Respondents vide email dated-31.05.2022 has informed that mutual agreement has been achieved. Hence, the Appeal may please be dismissed.

(C) CGRF- Andaman & Nicobar Islands's Order preferred for Appeal:

Learned CGRF has not passed any order within the prescribed time limit as per CGRF and Ombudsman Regulations -2019 as notified by Hon'ble Joint Electricity Regulatory Commission.

(D) Analysis and Decision: -

- (i) The Respondents has attached the letter of the Appellant vide their email dated-31.05.2022, which is reproduced below: -

To	20.05.2022
The Electricity Ombudsman Gurgaon, Haryana	
Subject: Withdrawal of Appeal / Representation filed in the office of Electricity Ombudsman vide appeal No-165 of 2022 against CGRF, A&NI Electricity Department-reg.	
Sir,	
I, Shri K. Parasuram R/O-Austinbad, Port Blair filed a representation in the office of Electricity Ombudsman vide appeal No-165 of 2022. Now I intent to withdraw the above representation with the reason that the officer of Electricity Department had cleared all the doubt and settle	



the issue. Now I had no grievance against the Electricity Department.

Hence the above representation may please be treated as cancel. Sorry for the Inconvenience.

Thanking You

Yours Faithfully

(K. Parasuram)

R/O-Austinabad, Port Blair

Copy to:

1. The Executive Engineer (HQ) Electricity Department, Port Blair for information.
2. The Assistant Engineer-III, Electricity Department, Prothrapur for information.

(K. Parasuram)

- (ii) I have perused the documents on records. Both the parties have mutually agreed to reconcile the issue and Appellant has confirmed that officers of the Electricity Department have cleared all the doubts and settle the issue on 19.05.2022 and now he had no grievance against the Electricity Department.
- (iii) However, it has come to the notice of this authority that at present CGRF is not functioning as no Chairman/Member has been appointed by the Licensee after the vacancy/retirement of earlier Chairman/Member as per CGRF and Ombudsman Regulations.
- (iv) The issue of non -filling up the vacancies of Chairman/Member also came to the notice of this authority in Appeal No-148 of 2021 and Appeal No-149 of 2021. In the Final order dated-11.10.2021 and 22.09.2021 in the said Appeals, it was directed to fill up the vacancies of Chairman and Member of CGRF –A&NI within a period of **Two months** from the date of the issue of Final order by email. However, no action has been taken for more than eight months. Therefore, it appears that there is a willful disobedience in not implementing the orders of this Court and intentional harassment to the consumers.

(E) DECISION

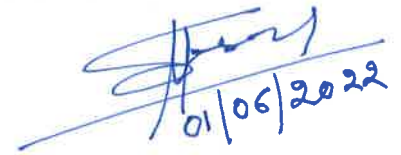
1. For the reasons discussed above, the appeal of the Appellant is dismissed as withdrawn.
2. Secretary (Power), Electricity Department/Licensee, Andaman & Nicobar Islands, Port Blair is directed to fill up the vacancies of Chairman and Member of CGRF within a period of **One month** from the date of the issue of this order by email as per CGRF and Ombudsman Regulations-2019.
3. Secretary (Power), Electricity Department/Licensee, Andaman & Nicobar Islands, Port Blair is further directed to show cause as to why the proceedings under CGRF and Ombudsman

Appeal No.165 of 2022



Regulations and Section-142 of the Electricity Act are not recommended to the Hon'ble Joint Electricity Regulatory Commission for taking the penal action for willful disobedience in not implementing the orders of this Court in Appeal No-148/2021 and 149/2021.

4. 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.
5. The Electricity Department/Licensee should submit a compliance report to the office of Ombudsman on the action taken in this regard within **45 days** from the date of issue of this order by email.
6. 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 Hon'ble Commission under the provisions of the Electricity Act, 2003.
7. The appeal is disposed of accordingly.



(M.P. Singh Wasal)
Electricity Ombudsman
For Goa & UTs (except Delhi)

Dated: 01.06.2022