

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL,  
FORUM (CGRF), GOVERNMENT OF GOA,  
ELECTRICITY DEPARTMENT, VIDYUT BHAVAN,  
4<sup>TH</sup> FLOOR, VASCO, GOA.**

**Complaint / Representation No. 09/2024/23.**

The Secretary,  
Shri. Amey Dudhalkar,  
Casa Blanca Vagator Housing Maintenance Society Ltd  
Survey No.372/1-A, Vagator Beach Road,  
Anjuna, Bardez.

**..... Complainant**

**V/S**

1. The Chief Electrical Engineer,  
Electricity Department,  
Government of Goa,  
Vidyut Bhavan, Panaji – Goa.
2. The Executive Engineer,  
Electricity Department,  
Div –XVII, Mapusa B - Goa.
3. The Assistant Engineer,  
Electricity Department,  
Div –XVII, S/D- II,  
Mapusa - Goa.

**..... Respondents**

**Dated : - 19/04/2024**

**ORDER**

1. The complainant is a co-operative society at Vagator Goa. They are aggrieved by the addition of sundry charges to three meters in their building that service the common areas and utilities.

**Case of the Complainant**

2. Briefly stated, it is the complainant's case that their society is registered under the Goa Co-operative Societies Act. The society has three meters. "Sundry charges" were included in the latest bills issued against the said three meters. They are unaware as to why



the sundry charges were added. The complainant requests for a review of the said bills.

Case of the Department

3. Per contra, the case of the Department in brief as culled out from their para-wise comments is that the meters are standing in the name of 'Prajakta Engineering & Construction Pvt Ltd'. The site was inspected on 18.10.2022 by MRT Division at which time it was found that the installations released under LTD tariff were being used for commercial activity in name of "M/s Casa Blanca Vagator" i.e. for renting out rooms, and that the same was verified from various travel websites. Hence the three installations were assessed under commercial category.
4. The three installations were provisionally assessed separately, and the consumer was directed to submit objections or clarifications within 7 days. No replies were received. Thereafter, final assessment orders were issued against the three installations aggregating to Rs. 1,50,774/-. The Department claimed that this was a case of unauthorised use of electricity.

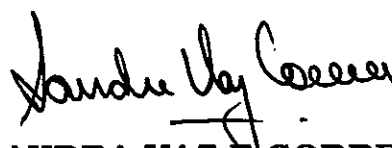
Hearing.

5. I heard the parties at length on videoconference. The complainant was represented by Shri Amey Dudhalkar, while Smt. Reecha Shetye AE represented the Department. Shri Dudhalkar submitted that the complainant did not receive any notice or communication from the Department with respect to the unauthorised use of electricity and learnt about the matter for the first time only after the inclusion of sundry charges in the bills. He further admitted that a few individual flats were being leased, however it was improper to charge the common facility installations of the building under LTC tariff. He was asked to submit a list of such flats, which he did by email dated 08 April 2024 wherein 16 flats are shown as being rented on long-lease.



Findings and Order.

6. I perused the records and gave due consideration to the submissions of the parties.
7. The licensee Department claims that provisional assessment notices were issued to the complainant with respect to unauthorised use and that final assessment orders were issued as there was no response. It is possible that the notices may not have been delivered to the complainant since the installations are standing in the name of one Prajakta Engineering & Construction Pvt Ltd.
8. Be that as it may, once proceedings for unauthorised use of electricity have been initiated by the licensee, this Forum's jurisdiction to entertain and decide a complaint stands ousted. The complainant's remedy would be to approach the appropriate appellate authority for relief. Needless to say, the time consumed in these proceedings may be considered by the appellate authority for condonation of delay, if any. Further, the licensee Department shall not take any coercive steps against the complainant for a period of 30 days from receipt of this order to enable them to approach the appellate authority.
9. The complaint stands disposed accordingly.
10. 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 in prescribed Annexure-IV, to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs, 3<sup>rd</sup> Floor, Plot No.55-56, Service Road, Udyog Vihar, Phase-IV, Sector-18, Gurugram-122015 (Haryana), Phone No.:0124-4684708, Email ID: [ombudsman.jercuts@gov.in](mailto:ombudsman.jercuts@gov.in) within one month from the date of receipt of this order.

  
**SANDRA VAZ E CORREIA**  
(Member)