

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

**Complaint / Representation No. 11/2024/32.**

Goa Barge Owners Association,  
Through Authorised Representative,  
Shri. Eknath Toraskar,  
C/o Goa Barge Owners Association,  
Damodar Building, 2<sup>nd</sup> Floor,  
Vasco Da Gama, Goa.

**..... Complainant**

**V/S**

1. The Chief Electrical Engineer,  
Electricity Department,  
Government of Goa,  
Vidyut Bhavan, Panaji - Goa.

2. The Executive Engineer,  
Electricity Department,  
Div -XI, Vasco - Goa.

3. The Assistant Engineer,  
Electricity Department,  
Div -XI, S/D- I,  
Vasco - Goa.

**..... Respondents**

**Dated : - 08/05/2024**

**ORDER**

1. The complainant is an association of barge owners having installation under CA no. 60001609399 at its office at Vasco da Gama. They are aggrieved by the exorbitant billing in month of October 2022 and abrupt disconnection by the licensee Department.

**Case of the Complainant.**

2. Succinctly, the case of the complainant as culled out from their complaint is that they are an association of barge owners in

*Shankar U. Gove*

existence since 1975 and having their office at 'Damodar Building' at Vasco da Gama. Their office has an electricity connection with CA no. 60001609399 Meter no. 99809584 Installation no. 5000154477. All the bills raised by the department have been paid on time.

3. They received a letter dated 02.11.2022 from the Department that was addressed to one "Agencia Commercial Maritima, Vasco da Gama", wherein it was conveyed that during a routine inspection, it was found that the connected load at their premises was 12.4 KW against sanctioned load of 0.22 KW and to submit test report and regularize the load. Thereafter, the complainant received a bill dated 29.11.2022 for Rs. 84,249/- that included an amount of Rs. 83,887/- as sundry charges. This was followed by a disconnection notice dated 16.01.2023 from the third respondent - again addressed to Agencia Commercial Maritima - to either pay the bill of Rs. 86,236/- or to face disconnection.
4. The complainant responded in a letter dated 30.01.2023 to the third respondent calling upon him to review and recalculate the bill.
5. The complainant again received a notice dated 13.06.2023 issued by the third respondent addressed to Agencia Commercial Maritima for temporary disconnection. Reference was made to the bill of June 2023 and the addressee was asked to pay the arrears of Rs. 91,001/- or the supply would be disconnected after 15 days. A copy of the letter was marked to Asst Engineer O&M Vasco to disconnect the installation on 04.07.2023.
6. It appears from the records that the complainant's installation was disconnected on 12.01.2024, which prompted them to issue a letter dated 17.01.2024 to the second respondent inter alia calling upon him to keep the disputed bill in abeyance, to allow the complainant to pay current bills, and to restore the supply.



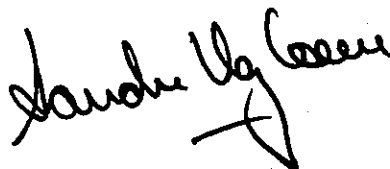
7. The third respondent replied vide letter dated 08.03.2024. The sequence of events leading to the raising of the bill for Rs. 84,249/- was narrated in detail. To summarise, the amount was calculated considering back-billing period i.e. from 03.02.2020 to 01.11.2022 (1003 days) and daily average consumption of 15.096 units.
8. Aggrieved by the said communication, the complainant has preferred this complaint and sought the Forum's intervention in the matter. In addition to seeking interim relief from disconnection, the complainant inter alia sought a direction for revision of the disputed bill dated 29.11.2022 by excluding the sundry charges.

Interim Order.

9. I heard the parties on 28.03.2024 on the complainant's apprehension of disconnection of supply and directed the Department to maintain status-quo till disposal of the complaint.

Case of the Department.

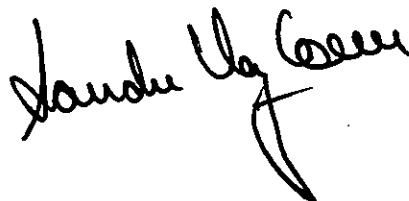
10. Upon being noticed, the Department contested the complaint and filed its para-wise comments through the third respondent.
11. In a nutshell, it is their case that the bill dated 29.11.2022 for Rs. 84,249/- impugned in these proceedings was correct. Narrating the sequence of events, they submitted that the meter of the complainant's installation was installed at the rear of the building since the time of its release. When the meter reader visited the premises on 11.07.2022, he did not find the meters at the original point of metering but found two unfamiliar consumer-owned (non-departmental) meters at another location on the ground floor. Of the two unfamiliar meters, one having no. GOA40398 was connected to the load of the complainant on the second floor of the building. The reading 13428 KWH was noted on the said meter.



12. The matter was referred to the Asst Engineer O&M section for investigation. In an inspection by the concerned JE on 01.11.2022, the meter GOA40398 was uninstalled and replaced with a new meter bearing sr. no. 99809584 on the same day.
13. The meter GOA40398 was not certified by the department and was not provided by the department. It was presumed that the said meter GOA40398 was installed at the new location after removing/replacing the original department meter from the original location behind the building.
14. Meter GOA40398 was sent to MRT lab for testing, and the test report found the meter to be functioning satisfactorily with tolerance within permissible limits. Therefore, the readings on 11.07.2022 (13428 KWH) and 01.11.2022 (15149 KWH) were considered, and being "an unprecedented case", pro-rata back-billing was done from 03.02.2020 to 01.11.2022. A calculation sheet is attached to the reply.
15. The complainant's grievance regarding alleged disparity in energy consumption pattern was rejected on the ground that with a connected load of 12 KW, a monthly consumption of 480 – 520 units was normal.
16. The Department prayed for dismissal of the complaint and direction to the consumer to pay the outstanding dues to avoid disconnection.

Hearing.

17. I heard Shri Vinod Gaunkar appearing on behalf of the complainant and Shri Vishal Power AE appearing for the Department at length on videoconference. They reiterated their respective stand taken in the pleadings.



Findings.

18. I perused the records and gave due consideration to the submissions advanced by the parties. The facts are largely undisputed, except for the shifting of the meter from the rear side to a panel on the ground floor of the building, where each party assumed it to be the handiwork of the other. There is no way in which the culprit can be pinpointed. That said, a meter cannot normally be replaced and/or shifted without the assistance – or may I say, connivance - of the licensee Department's staff; in the same breath, it is hard to digest that the consumer having a running office was blissfully unaware about the replacement of the meter and its shifting to another location.
19. Be that as it may, in view of the rival contentions, the issue that arises for my consideration is the period (03.02.2020 to 01.11.2022) considered for back-billing in this "unprecedented case". In their reply (para 2), the Department has stated that that change in location of the meter was noted by the meter reader for the first time on 11.07.2022. In other words, one can assume that the old (departmental) meter was existing at the original location when the meter reader last visited the location in/around June 2022. That being so, the reason for back-billing w.e.f. 03.02.2020 is not explained by the department nor any specific provision in the regulations is cited to support it.
20. Secondly, the Department admits that the Meter GOA40398 – though not certified by the Department - was found to be functioning satisfactorily. In that backdrop, the reason for back-billing the consumer from 03.02.2020 is not clarified.
21. Lastly, and as rightly pointed out by the complainant, the country was in Covid-19 lockdown and other restrictions for almost a year from March 2020 onwards. In that factual backdrop, the reason for back-billing the consumer from 03.02.2020 on basis of consumption recorded in July – November 2022 cannot be fathomed; at least, I

*Sandeep G. Grewal*

did not get any assistance from the Department's reply in this regard.

22. All in all, in the peculiar facts and circumstances of this case, I am inclined to allow the complaint. There is no justification for back-billing the consumer from 03.02.2020 onwards when the meter (found to be functioning satisfactorily) was allegedly changed and shifted around July – August 2022. In my opinion, back-billing from 03.02.2020 and the consequent addition of sundry charges of Rs. 83,887/- in impugned bill dated 29.11.2022 was arbitrary and unreasonable.

Order.

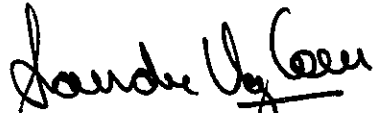
23. In light of the foregoing discussions, I pass the following order:

- a. The complaint is partly allowed.
- b. The addition of Rs. 83,887/- as sundry charges in the impugned bill dated 29.11.2022 issued to the complainant is hereby set aside.
- c. The impugned bill dated 29.11.2022 shall be revised accordingly, and a fresh bill shall be issued to the consumer within 15 days from receipt of this order.
- d. Department shall report compliance of this order to the registry of this Forum within 30 days.
- e. Proceedings closed.

24. 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,

*Shandee'ly Govee*

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)