

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

**Complaint / Representation No. 16/2024./55**

Shri. Mukundraj Mudras,  
R/o FF3, H.no. 296  
Vodlem Bhat, Corte Real,  
Santa Cruz, Goa – 403005.

**.... Complainant**

**Vs**

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

2. The Executive Engineer,  
Electricity Department,  
Div –I, Panaji – Goa.

3. The Assistant Engineer,  
Electricity Department,  
Div –I, S/D-III,  
Bambolim – Goa.

**.... Respondents**

Dated: 27.06.2024.

*Handwritten signature*

## ORDER

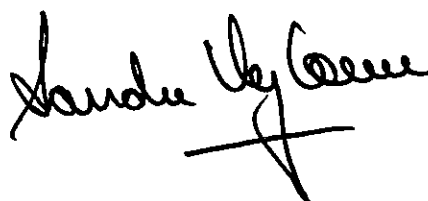
1. This order shall dispose the complaint received by email. The complainant is a resident of Santa Cruz, Tiswadi, Goa. He is aggrieved by the recovery of Rs. 1525/- from him by the licensee Department as alleged arrears against installation under CA no. 60006722825.

### Case of the Complainant.

2. In a nutshell, the complainant's case is that a service connection under CA no. 60006722825 was provided to the staircase of the building in which he resides. Since the other residents failed to contribute towards the bills, he sought disconnection of the said installation in the year 2022 along with some other installations standing in his name. The final bill had been paid, and the security deposit had been released by the Department in full and final settlement. Incidentally, the complainant had approached this Forum (Complaint/Representation no. 02/2023) regarding delay in refund of security deposits.

3. On 03.04.2024, his neighbour Mr. Ashok Santi applied to the Department for a new service connection for the staircase of the building. The Department declined the request on the ground that there were arrears of Rs. 1525/- against the earlier connection. The Department did not relent despite the complainant's explanation and protests that there was no outstanding amount payable against the old connection. Finally, the complainant paid the amount of Rs. 1525/- by 'GPay' application, whereupon the connection was released to Mr. Ashok Santi.

4. The complainant visited the Department's local office several times seeking refund of the said excess amount, but to no avail. Hence this complaint. He seeks reimbursement of the amount of Rs. 1525/- along with interest @ 21% per annum, for costs of the visits made to the Departments office, and for hefty fine and penalty and disciplinary action on the concerned officials for causing physical and mental harassment.



Case of the Department.

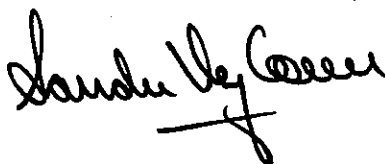
5. Per contra, Department contested the complaint and filed its para-wise comments through the third respondent. Succinctly, it is their case that the security deposit against the old connection had been wrongly refunded to the complainant. That the security deposit amount of Rs. 1096/- had been adjusted against the pending bill amount, and that the complainant sought refund of the amount vide an email dated 12.12.2022, intentionally suppressing the fact that the security deposit had been adjusted against the bills. The Department had erroneously refunded the security deposit unaware of the fact that it had been adjusted against the bills at the time of permanent disconnection.

6. At the time of processing Mr Ashok Santi's application, it was found that the system showed an amount of Rs. 1525/- as due against the old connection. The Department denied that the complainant was forced to cough up the amount as a condition precedent to release of the connection of Mr Ashok Santi. The complainant had made the payment on his own volition.

7. Mr Ashok Santi's connection was released on 29.04.2024 and the complainant visited the Department's office on 14.05.2024 demanding immediate refund of the amount of Rs. 1525/-. He was informed that the matter would be taken up with the commercial section for resolution. He was also informed that in case there was any excess amount, it could be adjusted against any other connection standing in his name. Accordingly, the process for refund of the amount was initiated vide a communication dated 15.05.2024.

8. However, the complainant preferred an RTI application on 17.05.2024 seeking information about CA no. 60006722825. It was at this time that the Department discovered that the complainant had unjustly enriched himself to an amount of Rs. 1096/- as on 25.01.2023 and had claimed the said amount despite being fully aware that the security deposit amount had been adjusted by the Department against the pending bill.

9. The Department claimed an amount of Rs. 310/- (@ 21%) as interest on the said amount of Rs. 1096/- for period of 492 days



and submitted that only an amount of Rs. 170/- was liable to be refunded.

Hearing.

10. I heard the parties at length on 06.06.2024 on videoconference. The complainant appeared in person while Shri P. Prabhu AE represented the Department.

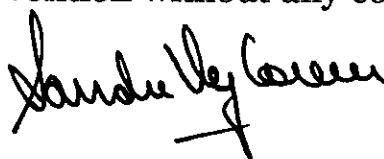
11. The complainant filed a rejoinder to the Department's reply by email on 06.06.2024 followed by an additional reply emailed on 08.06.2024.

Findings.

12. I gave due consideration to the averments made in the pleadings and submissions at the hearing. In view of the rival contentions, the short question that falls for my determination is whether the Department was justified in claiming the amount of Rs. 1525/- from the complainant as alleged arrears against CA no. 60006722825.

13. The alleged delay in refund of security deposit of six connections including CA no. 60006722825 was the subject matter of a complaint (Complaint/Representation no. 02/2023) before this Forum between the same parties. In that matter, the Department had processed the refund of security deposits of the six installations – that included CA no. 60006722825 - after the final bills against the said installations had been cleared by the complainant. In fact, the refunds had been effected during pendency of those proceedings. That being so, the Department cannot now claim that the refund had been erroneously done. It was incumbent on the Department to have done its due diligence before refunding the security deposit. These are matters of electronically-maintained accounting records, and not dependent on the incumbents occupying the posts, as sought to be claimed by the Department at para 4 of its reply. Besides, barring bald statements and an email dated 28.06.2022, the Department has not brought anything tangible on record in support of its claim that the security deposit had been adjusted against the final bill of the installation.

14. The Departments claim that the complainant made the payment out of his own volition without any coercion from the



Department is implausible. The records point to a clear nexus between the application of Mr Ashok Santi for service connection for the staircase and the recovery of Rs. 1525/- from the complainant. Both events happened on/about the same day i.e. 03.04.2024. In these circumstances, the Departments averment that the complainant happily walked into their office and made the disputed payment is difficult to swallow.

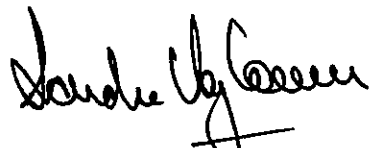
14. In the foregoing facts and circumstances, I am not convinced with the defence adopted by the Department and conclude that the claim of Rs. 1525/- from the complainant was unjustified. The amount would have to be refunded to the complainant along with interest @ 9% per annum.

Order.

15. Hence the following order:

- a. The complaint is partly allowed.
- b. The Department is directed to refund the amount of Rs. 1525/- (Rupees One Thousand Five Hundred Twenty Five only) to the complainant along with interest @ 9% per annum from 03.04.2024 to date of full payment, within fifteen days from the receipt of this order.
- c. Department shall report compliance of this order to the registry of this Forum within 30 days.
- d. The complaint stands disposed accordingly. Proceedings closed.

16. The complainant, if aggrieved by non- redressal of his grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an appeal in prescribed Annexure – VI, 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- 01244684708, Email ID-ombudsman.jercuts@gov.in within one month from the date of receipt of this order.

  
**SANDRA VAZ e CORREIA**  
**(Independent Member)**