

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

Complaint / Representation No. 19/2024 / 54

Shri. Kamalakant P. Haldankar,
R/o. Survey No. 21/0, Amberem,
Pernem, 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 -XVII, Mapusa - Goa.

3. The Assistant Engineer,
Electricity Department,
Div -XVII, S/D-I, Pernem - Goa.

..... Respondents

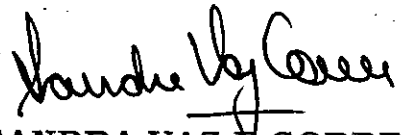
Dated : - 18/06/2024

ORDER

1. The complainant is a resident of Amberem, Pernem. He had obtained an electricity connection to his premises in Sry no. 21/0 of village Amberem, Pernem taluka on basis of NOC dated 03.11.2023 under the Goa Public Health Act. However, the Health Officer revoked the NOC vide an order dated 30.04.2024. This order has been challenged by him in an appeal before the Collector of North Goa. In the meanwhile, the licensee - Department has issued him a show-cause notice dated 27.05.2024 to explain why the service connection should not be disconnected in view of revocation of the Health NOC. The complainant responded to the said notice on 03.06.2024. However, he has approached this Forum seeking protection from disconnection of supply.

Shankar V. Gove

2. I heard the complainant in person and Shri Vattu Sawant AE representing the Department at length on videoconference today.
3. In his representation, the complainant is essentially assailing the revocation of NOC by the Health Officer. This Forum cannot sit in appeal over a decision of the Health Officer acting under the Goa Public Health Act. In any case, an appeal has already been filed before the Collector of North Goa District, who is presumably the competent appellate authority. Though the appeal was filed on 09.05.2024, it appears that no stay on operation of the impugned revocation order has been granted by the appellate authority. The Public Health Act NOC was the basis for release of electricity; consequently, its revocation ipso-facto puts the continuance of supply at peril.
4. In my considered opinion, and in the interest of justice, the complainant must be given reasonable time to avail of the legal remedies. Hence, the complainant is directed to obtain a stay on or setting aside of the Health Officer's NOC revocation order dated 30.04.2024 from the competent appellate authority within 30 days from the receipt of this order, failing which Department shall be at liberty to proceed as per law after considering the reply to its notice filed by the complainant.
5. The complaint stands disposed accordingly.
6. 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, 3rd 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 within one month from the date of receipt of this order.


SANDRA VAZ DE CORREIA
(Member)