

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

Complaint / Representation No. 20/2024/104

Shri. Anthony Menezes,
Through power of Attorney,
Shri. Luis Carmino Mendes,
H.No. 277/1B, Fondac Vaddo,
Parra, North Goa, 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 -VI, Mapusa A, Goa.

3. The Assistant Engineer,
Electricity Department,
Div -VI, SD -IV,
Candolim-Goa.

..... Respondents

Dated : - 24/07/2024

ORDER

1. This order shall dispose the complaint/representation dated 24.06.2024 filed by the complainant. The complainant is aggrieved by the bill dated 09.05.2024 for Rs. 42,51,552/-.

Case of the Complainant.

2. The case of the complainant, in a nutshell, is that he had paid and cleared the previous pending arrears of Rs. 1,29,890/- on 15.04.2024 being one-time settlement (OTS) amount. However, soon afterwards, he received the bill for Rs. 42,51,552/- on 09.05.2024

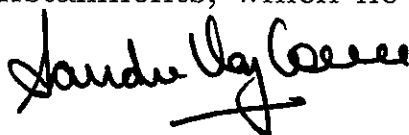
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payable within one month. On scrutiny of the bill, he noticed a significant increase in charges compared to previous bills. There has been no substantial change in his consumption pattern to warrant such a high bill.

3. He wants this Forum to conduct a comprehensive review of the consumption history, to test the energy meter and to rectify the impugned bill dated 09.05.2024 based on previous consumption data.

Case of the Department.

4. Per contra, the Department had a different version on the matter. Their case, as culled from the reply filed by the third respondent, is that the complainant had been penalized for unauthorized use of electricity in 2019 assessed at Rs. 49,33,553/- vide final assessment order dated 07.08.2019.
5. Subsequently, Department received a letter dated 27.09.2019 from one Bharat G. Modhawadia stating that he had taken over the premises on lease and may be allowed to pay and clear the dues in installments. On obtaining sanction of the higher authorities, payment of the amount in installments of Rs. 1,13,388/- was approved.
6. Some installments were paid initially, however the consumer defaulted during Covid-19 pandemic period. This led to the balance amount being reverted back along with DPC.
7. On 29.04.2022, the complainant Anthony Menezes was again accorded approval for a plan of 22 installments of Rs. 185698/- each. Of these, 21 installments were paid, and there was default in payment of the 22nd installment which comprised the DPC amount.
8. On 29.04.2024, the consumer again requested for installment facility to pay the balance dues. This time, he was issued an installment plan of 18 installments, which he again failed to clear.



Consequently, the balance amount was reverted back along with DPC. The balance amount referred to is the said amount of Rs. 42,51,552/- that comprises Rs. 35,84,354/- plus DPC of Rs. 5,67,970.59.

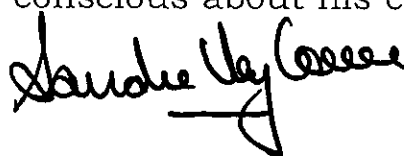
9. The Department received another letter dated 24.06.2024 during pendency of these proceedings from one Ygnesh Dave claiming to be the lessee of the premises and requesting for an installment plan to clear the dues. The same has been forwarded to the higher authorities for consideration.
10. As per departmental rules, whenever there is a default in payment of installments under the approved installment plan, the amount is reverted back with DPC in the current bill. Hence, the amount of Rs. 42,51,552/- was included in the bill dated 09.05.2024.
11. The consumer was well aware of the facts of the case but was trying to mislead the Forum into believing that the amount was wrongly charged.

Hearing.

12. I heard the parties at length on videoconference. Mr. Abdul Walikar appeared for the complainant while Mr. Savio Ferrao AE represented the Department.

Findings.

13. I perused the records and gave due consideration to the submissions of the parties. The rival submissions now fall for my determination.
14. The main thrust of the complainant's case is regarding alleged excessive bill dated 09.05.2024 raised by the Department. At paragraph 1 of the complaint, he refers to "significant increase in the charges compared to the consumption in previous months or previous years". At paragraph 2, he speaks of being a responsible consumer who is conscious about his electricity usage, and that his



usage does not “justify such a sudden surge in charges”. In paragraph 3, he raises concerns about the transparency of the billing system. In paragraph 4, he expects this Forum inter alia to conduct a comprehensive review of his electricity consumption history and identify any anomalies in the billing process, to test the meter to check for its proper functioning, and to re-evaluate the billing calculation of the bill dated 09.05.2024 considering previous consumption patterns and “any other relevant factors that may have contributed to the inflated charges”. The remainder of the complaint essentially support this stand.

15. On a plain reading of the complaint – and keeping the Department’s version aside for a moment – one comes to the inescapable conclusion that this is a case of sudden, incommensurate and unjustified spurt in energy consumption recorded by the meter that gave rise to the amount of Rs. 42,51,552/- in the impugned bill dated 09.05.2024. But this is not the case at all! Actually, the facts, as revealed by the Department, are totally different. Except for a cursory reference to a one-time settlement at paragraph 1, there is not a whisper in the complaint of the long and chequered history of unauthorized use of electricity, offer and acceptance of several installment plans and their persistent defaults. In fact, I would agree with the Department that the complainant has concealed material facts of the case ^{from} to this Forum. *Sandeep Dave*

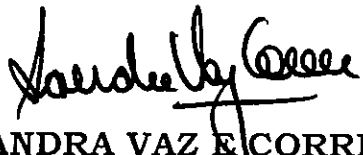
16. This Forum can exercise jurisdiction in cases of default in rendering of service or performance of duties by the Department. In this case, I could not find any. In fact, if at all the Department reversed the billing and reverted to the unpaid principal amount plus DPC on default of payment of a single installment by the consumer, it was well within the framework of the relevant norms.

17. Ironically, during pendency of these proceedings, one Ygnesh Dave has approached the Department on behalf of the complainant requesting for (yet) another installment plan to clear the outstanding dues. This, in my view, further vindicates the Department’s case.

Sandeep Dave

Order.

18. In conclusion, I did not find any deficiency in service rendered by the Department to the consumer or any breach of extant regulations. Hence, the complaint stands dismissed. Proceedings closed.
19. 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 E CORREIA
(Member)