

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

Complaint / Representation No. 35/2024 /166

Shri. Hemant Mahadev Kambli,
S/o Mahadev Kambli, R/o Sirsaim,
Bardez - 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 –B, Goa.

3. The Assistant Engineer,
Electricity Department,
Div - XVII, S/D- II,
Mapusa - Goa.

..... Respondents


Dated : - 23/09/2024

ORDER

1. This order shall dispose the complaint received on 23.08.2024. The complainant is a resident of Sirsaim Bardez. He “appeals” against the proposed disconnection of his electricity connection and is aggrieved by the bill of Rs. 54105/- coupled with a notice that his electricity connection was being used for commercial purposes.

Case of the complainant.

2. In brief, it is his case that he received a bill for Rs. 54105/- and was issued a notice that his electricity connection was being used for

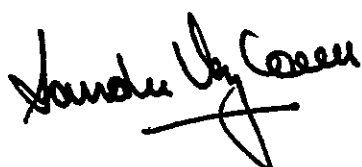


commercial purposes. He responded denying such commercial usage. He has been a responsible consumer making timely payments of bills. He received a provisional assessment order dated 07.06.2023, which was responded to. This was followed by a notice of disconnection dated 08.08.2023 to which he filed his reply on 09.08.2023. He contends that the notice of disconnection was issued without providing an opportunity for a personal hearing, which was contrary to the Electricity Supply Code and violation of principles of natural justice. The disconnection notice mentions an exorbitant amount exceeding Rs. 9 lakhs but fails to specify the billing period. Disconnection would have a severe impact on his daily life and livelihood.

3. He seeks setting aside of the disconnection notice dated 31.07.2023 and setting aside the exorbitant bill.

Case of the Department.

4. The Department contested the complaint and filed its written version through the third respondent. In a nutshell, it is their case that MRT unit inspected the complainant's LTD installation under CA no. 60006971968 on 19.05.2023 and found that it was being used to run a workshop where commercial welding activity was being undertaken. A provisional assessment order under Section 126 of the Electricity Act was issued on 03.06.2023 for Rs. 36374/-. The consumer responded by letter dated 21.06.2023 denying the commercial use. Thereafter, a letter dated 08.08.2023 was issued to the complainant for a personal hearing. At the hearing on 17.08.2023, the complainant allegedly admitted to the commercial use of the connection and sought 8 days time to pay the bills. But failed to do so. This led to issuance of final assessment order dated 22.02.2024 for an amount of Rs. 46764/-.
5. The consumer has another installation in his name under CA no. 60003707050 against which arrears of Rs. 10,83,280/- were due.



Disconnection notice was issued against this connection, not to the residential connection under CA no. 60006971968.

Hearing.

6. I heard the parties on videoconference. Shri Eashan Usapkar represented the complainant while Smt Reecha Shetye AE appeared for the Department. Shri Usapkar sought leave to file written submissions. A week's time was granted, with leave to the licensee to file their rejoinder thereafter.
7. I perused the records and gave due consideration to the submissions advanced by the parties.

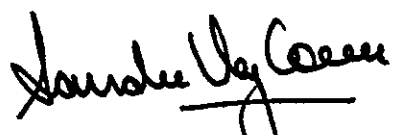
Findings.

8. There are two issues to this case. The first relates to CA no. 60006971968 against which proceedings initiated by the licensee under Section 126 of the Electricity Act 2003 for unauthorised use of electricity. The JERC (CGRF and Ombudsman) Regulations 2019 expressly bar this Forum to entertain complaints that relate to proceedings initiated under Section 126 of Electricity Act. The remedy against a final assessment order lies in an appeal to the designated appellate authority under Section 127 of Electricity Act.
9. The next issue relates to CA no. 60003707050. Apparently, the arrears have piled up to Rs. 10,83,280/- that must have accumulated over a considerable period. The complainant neglected to pay the bills issued by the licensee. In these circumstances, the licensee Department was well within its rights to issue the disconnection notice.
10. At paragraph 5 of the complaint, the complainant points to an alleged discrepancy in the meter readings and significant fluctuations which was allegedly not addressed by the licensee. No details of the consumption pattern (that would indicate fluctuations)

Sandeep G. Gore

were furnished. No correspondence with the licensee on this issue was placed on record, leading me to infer that this alleged discrepancy was never brought to the notice.

11. On reading the complaint, at first blush, it appears that the complainant is referring to only one connection, and that the unauthorised use, exorbitant billing and disconnection notice relate to only one connection. I do not know whether this was done innocuously or whether to confuse this Forum. Be that as it may, the facts became clear only upon perusal of the license Department's version.
12. In light of the foregoing discussions, I did not find any merit in the complaint. The complaint stands dismissed. Proceedings closed.
13. 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)