

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

Complaint / Representation No. 40/2024/173

The Chairman,
Sai-Complex Co-op. Hsg. Society Ltd.,
Chicalim, Goa – 403 711.

..... 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- II (R),
Vasco - Goa.

..... Respondents

Dated : - 03/10/2024

ORDER

1. This order shall dispose the complaint/representation filed by the complainant society on 03.09.2024. They are aggrieved by the application of highest slab for the connection that services the common areas of the building. It is their case that there are no commercial activities in their complex and it is a purely residential area. They are being charged @ Rs. 5.80 per unit as compared to Rs. 1.75 per unit earlier. They were not given prior notice of the increase by the licensee. The hike will put financial burden on the residents as the maintenance charges will increase. They seek a reversion of the slab to Rs. 1.75 per unit.



2. Per contra, the licensee Department based their case and justified their action on a communication dated 21.03.2024 issued by the Chief Electrical Engineer directing implementation of Regulation 5.56 of the Supply Code Regulations 2018 that prescribes billing at highest slab of the respective tariff rates in case of connections provided for common services in multi-consumer complexes.
3. I heard the parties on videoconference. The complainant society was represented by Shri Ajay Tambwekar while Smt Rekha Raul AE represented the licensee Department.
4. I perused the records and gave due consideration to the submissions advanced by the parties. In course of the hearing, I inquired with the Departmental representative as to whether the term "multi-consumer complex" was defined in any regulation; she assured to take instructions and revert. However, no such communication or submission is received from the licensee Department.
5. No doubt the Supply Code Regulations stipulate billing at highest slab of the respective tariff rates in case of connections provided for common services in multi-consumer complexes. However, what is a multi-consumer complex is not brought to my notice.
6. Regulation 5.56 of extant Supply Code Regulations 2018 reads as follows: *"In case of multi-consumer complexes, such as Group Housing, etc., the new connection sought shall preferably be provided at single point with single meter on LT if load is up to 100 kVA and on HT if load exceeds 100 kVA."* Though the regulation caps the total LT load at 100 kVA, in my opinion, it is ambiguous on the definition of a multi-consumer complex.
7. Nonetheless, I referred to JERC's Supply Code Regulation 2010 (Para 3.6 (B)) para 9 which states that: *"For the purpose of providing new power supply to a building or a group of buildings having more than one connection with a total load exceeding 30 kW the premises shall be considered as a multi-consumer complex"*

Sanjay V. Gaur

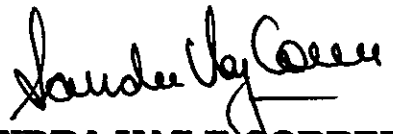
8. I also referred to Supply Code Regulations of some other jurisdictions. The Supply Code Regulations of State of Assam refers to multi-consumer complex as "*building or a group of buildings having more than total load of 20 kW*". The Supply Code Regulations 2018 of Meghalaya State refer to them as "*building or a group of buildings having more than total load of 30 kW*". In Chhattisgarh State, the total load is 50 KW or above.
9. In my view, unless the licensee Department can show that the complainant society's complex comes within the ambit of a "multi-consumer complex", applying Regulation 5.56 of the Supply Code Regulations 2018 would be arbitrary and unjustified. Secondly, unilaterally hiking the tariff slab in such cases without giving the consumer an opportunity to be heard, in my view, violates the principles of natural justice.

Order.

10. In view of the foregoing, I found considerable merit in the complaint. The complaint is allowed. The application of highest tariff slab to the complainant's common areas installation under CA no. 60001624448 is hereby set aside. The licensee Department shall revise all bills issued under the highest tariff slab by reverting them to the earlier tariff slab and issue fresh/revised bills to the consumer within two weeks of receipt of this order. Compliance shall be reported to the Registry of the Forum within one month.
11. However, the licensee Department is at liberty to implement Regulation 5.56 of the Supply Code Regulations 2018 after giving reasonable notice to and hearing the complainant.
12. The complaint stands disposed of. 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,

Handwritten signature

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)