

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

Complaint/Representation No. 27/2021/52

Shri. Benjamin Fernandes,
Prop. Benfils Foods and Beverages,
Saterimol, Nirankal,
Ponda – 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 - X, Ponda - Goa.

3. The Assistant Engineer,
Electricity Department,
Div. X, S/D II, Ponda - Goa.

..... Respondents

Present:

1. Complainant appeared in person
2. Smt. Deepa Miringkar

..... for the Respondent

Dated: - 24/06/2021.

ORDER

The complainant is the consumer of LTI installation at Nirankal Ponda under CA no. 60002153363 standing in the name of "Benfils Foods &

Santhosh V. V.

[Signature]

Beverages". The premises were leased to one Sufiyan Shaikh and Nafisa Shaikh. He is aggrieved by the alleged failure of the licensee Department to disconnect the supply pursuant to his letter dated 11.02.2021.

Case of the complainant.

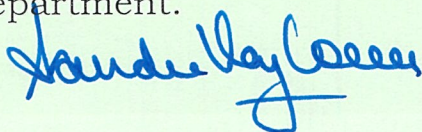
In a nutshell, the complainant's case as culled from the records is that he is a LTI consumer under CA no. 60002153363 extended to his industrial premises at Nirankal Ponda. He had leased his factory to one Sufiyan A. Shaikh and Nafisa Sufiyan Shaikh of "S.S. Dairy & Milk". The said lessees were paying the electricity bills. In January 2021, he found that the bills had accumulated to about Rs. 1,46,000/- due to non-payment. He notified the Department on 11.02.2021 to disconnect the supply. Further correspondence ensued between the complainant and the Department on the issue, however no action was forthcoming. He is finding it difficult to pay the accumulated bills due to financial crisis. The electricity meter was also stolen allegedly by said Sufiyan A Shaikh. He seeks relief from this Forum.

Case of the licensee Department.

Per contra, the licensee Department resisted the complaint. In its reply filed through EE Div.-X, Ponda, receipt of the complainant's letter dated 11.02.2021 is admitted. Disconnection notice was issued on 22.02.2021. However, Sufiyan Shaikh later paid the outstanding amount in two instalments of Rs. 1,00,000/- each on 07.04.2021 and 08.04.2021. Thereafter, the supply was disconnected on 23.05.2021 for non-payment on the pole as there was no access to the complainant's premises. The bills raised were based on actual consumption and have to be paid. Regarding the alleged theft of the meter, Department was not concerned in any way and that under JERC Regulations, it was the consumer's responsibility to ensure safe custody of meter, MCB's etc installed within his premises.

Hearing.

We heard the parties at length on video-conference; the complainant appeared in person while Smt. Deepa Miringkar, AE (Com), Ponda represented the Department.





Findings.

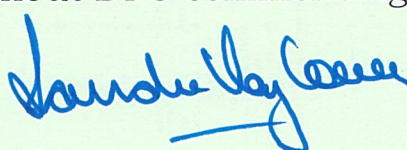

We perused the records and gave due consideration to the submissions advanced by the parties. No doubt the complainant had issued a letter for disconnection on 11.02.2021 pursuant to which a disconnection notice was issued on 22.02.2021. However the lessee Sufiyan paid an amount of Rs. 2,00,000/- in early April 2021. Hence the Departments action in the matter cannot be faulted. Thereafter, apparently, the lessee again defaulted on bills that accumulated to Rs. 1,78,773/- as on 22.04.2021 leading to disconnection of supply on 23.05.2021. Department has explained that they could not attend to the disconnection earlier in view of their preoccupation with restoring power supply disrupted due to cyclone "Tauktae" as well as the premises being inaccessible as the gate was locked. Again, in the circumstances, the Departments action cannot be faulted. There is no doubt that the bills are based on actual consumption of electricity for which the complainant is liable to pay. As regards the theft of the meter, we agree with the Department that it is the complainant's responsibility for ensuring safety of the meter and other equipment within his premises.

Be that as it may, the complainant can be given the facility to pay the arrears in instalments. Hence, in the peculiar facts and circumstances, we direct that the arrears against the complainant's installation shall be recovered in twelve equal monthly instalments without DPC. In addition, the installation may be reconnected within a week from receipt of this order. That, in our opinion, would meet the ends of justice and redress the consumer's grievance.

Order.

Hence, the following order:

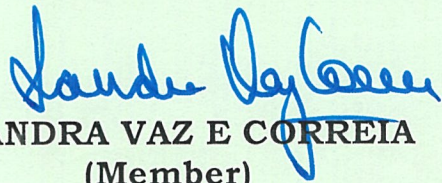
1. The complaint is partly allowed.
2. The Department shall recover the arrears against the complainant's installation accumulated as on date in twelve equal monthly instalments without DPC commencing from 01.07.2021.

3. The complainants installation shall be reconnected within a week from today.
4. Department shall report compliance of the order in the registry of the Forum within 30 days of its receipt.
5. The complaint stands disposed accordingly.



Ashley Leonard Camilo Naronha
(Chairperson)



SANDRA VAZ E CORREIA
(Member)