



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

Complaint/Representation No. 01/2019/138

Smt. Lillian Pereira,
M/s. Royal Homes & Real Estate,
Madel, Margao,
Salcete - Goa.

V/S

1. The Chief Electrical Engineer,
Electricity Department,
Government of Goa,
Vidyut Bhavan, Panaji, Goa.

2. The Executive Engineer,
Electricity Department,
Div. XVI, Margao, Goa.

3. The Assistant Engineer,
Electricity Department,
Div. XVI, S/D-I,
Benaulim - Goa.

1716
Complainant
Office of the
Chief Electrical Engineer
Panaji, Goa
(com. section)
Inward No. 2834
Dated: 26/10/19

6425376
21/10/19

..... Respondents

Present:

1. Shri. Joaquim D'Costa
2. Shri. Nicholas Moraes

..... for the Complainant

..... for the Respondent

Quorum: - Desmond D'Costa, Chairperson

Sandra Vaz e Correia, Member

EE Com
AC Com
Please do not
30/10

Yorash
Pi write to EECV 16
Conduct inquiry of Punit
before based on order

Dated: - 26/09/2019.

ORDER

By this order, we dispose the complainant's representation dated
08.01.2019.

Sandra Vaz e Correia

Yorash

The case of the complainant in brief, as culled out from the records, is that she had availed of a temporary connection for her construction of a building on behalf of M/s Royal Homes & Real Estate at Seraulim Salcete Goa. She completed the building and obtained part occupancy certificate in December 2011 and for the remaining portion in March 2018 issued by Village Panchayat of Seraulim. However, the licensee continued to issue bills against the temporary connection, which, according to her, was incorrect and required rectification. She claimed she had to be charged according to the occupancy certificates issued by the local panchayat. Three residents and shop owners of the building had been issued connections for their respective premises. The bill amounts were very high and were required to be reduced in view of the occupancy certificates. She had written two letters to the local officials of the licensee including a legal notice, but to no avail. She desired that the doubts about the billing be cleared.

Per contra, the licensee Department contested the complaint and filed its reply through Assistant Engineer SD-I Div. XVI Benaolim. Succinctly, it is their case that the LTTC connection released to the complainant was purely a temporary connection for construction purpose. The connection or billing thereof could not be revised merely because occupancy certificate had been issued. The connection ought to have been disconnected after completion of the project, which was not done. Instead, it was bifurcated and released to 14 premises in the building. Bills against the said connection were issued as per rules and DPC had been levied for non-payment of bills on time. Permanent connections were issued to 3 nos. of occupiers of the building as they produced NOC from the panchayat.

As regards the delay in release of service connections to the building, the licensee stated that the consumer was required to erect a 400 KVA transformer with associated switchgear for the 65 nos. installations after paying 15% supervision charges to the licensee. As per JERC norms, the equipment needed approval of the Electrical

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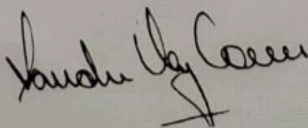
Inspector, who conveyed his approval on 14.08.2018. The licensee had responded to the complainant's letter by its letter dated 21.12.2018 wherein the consumer was briefed regarding the temporary connection and also directed to clear the outstanding dues to facilitate release of connection to the 65 units.

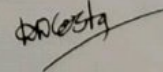
We called the parties for a hearing at which time Shri Joaquim D'Costa represented the complainant while Shri Nicholas Moraes AE represented the Department. We heard them at some length.

The complainant's primary grievance is regarding the licensee's continued billing under LTTC tariff when she had obtained occupancy certificate for her building in phases. We did not find any merit in this ground. LTTC connection was released purely for construction purposes; if at all the construction had been completed, the consumer ought to have sought its disconnection. Mere grant of occupancy certificate would not alter the status of the installation.

Besides, the delay in releasing service connections to the complainant's building appears to have been due to the requirement to erect the 400 KVA transformer etc. On receipt of requisition for the 65 service connections, the licensee found that it would not be feasible to release the load with existing LT network and opined that a 400 KVA transformer was required to be erected. Accordingly, an estimate for Rs. 20,35,949/- besides 15% supervision charges on labour component was prepared. The work was executed by the consumer and approval of the Electrical Inspector was conveyed on 14.08.2018.

However, one question remains unanswered. How were three service connections released to individual occupants of the building when the report accompanying the estimate relied by the licensee clearly noted that "service connection shall be released by the sub-division to the consumer only after completion of all the required departmental

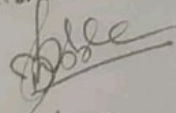


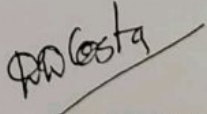


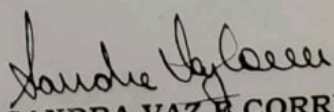
formalities as per prevailing Rules and Regulations and conditions of Supply of Electrical Energy"? This question is rightly raised at paragraphs 4 & 5 of the complainant's legal notice to the licensee dated 01.11.2018. The licensee has explained that this was done upon the respective occupiers producing NOC from the Panchayat. The explanation, to our mind, contradicts the stand taken by the Department. The occupancy certificate issued by the Panchayat stated it is to be treated as NOC for water and power connections. However, it is not evident from the records in the file whether the said three connections were part of the 65 requisitions made by the complainant, and/or whether they were released prior to 28.12.2017. Prima facie, there appears to be an element of arbitrariness and caprice on part of the licensee Department in release of the three connections while denying the complainant the release of the remaining service connections to the building. We request the Chief Electrical Engineer of the licensee Department to conduct a detailed inquiry into the matter and take appropriate action if necessary.

Nothing else survives for our consideration in this complaint, and the same stands disposed of.

(CERTIFIED TRUE COPY)


(Manoj Danaji Hoble)
Incharge Registry
C.B.R.F., Vasco


DESMOND D'COSTA
(Chairperson)


SANDRA VAZ e CORREIA
(Member)