

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

**Complaint/Representation No. 08/2021/283**

Smt. Vania Goes,  
House No. 167,  
Opp. Bogmallo Beach Resort,  
Bogmalo - 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- XI, Vasco - Goa.

3. The Assistant Engineer,  
Electricity Department,  
Div- XI, S/D-II,  
Vasco - Goa.

**..... Respondents**

**Present:**

1. Complainant appeared in person

2. Shri. Joao Lucas

..... for the Respondent

**Dated: - 19/03/2021.**

**ORDER**

Per Smt Sandra Vaz e Correia, Independent Member.

This order shall dispose of the complaint via email from Smt Vania Goes. It is her case that the licensee Department has transferred an amount of Rs. 17000/-an installation under no. 60006785632

*Sandra Vaz e Correia*



standing in the name of her father Shri Socorro Goes being pending arrears since the year 1995 against another connection in the name of one Socorro Goes. Their case is that they have nothing to do with the delinquent connection, the address does not match with their address (i.e., H. no. 167, opp. Bogmalo Beach Resort). The connection to their residential house is in name of Socorro Goes and they have been regularly paying the bills. They state that there appears to be some confusion with both connections coincidentally being under the same name but the addresses differ.

Upon being noticed, Department filed its reply through Asst Engineer (Tech) SD II Rural, Vasco da Gama. According to them, an electrical installation bearing no. VSG/14A/4-21(858) for LTC category was released on 24.01.1989 to Shri Socorro Goes, H. no. 511, Bogmalo which was then under Village Panchayat of Chicalim. Since the outstanding arrears of Rs. 17000/- were not cleared, the matter was referred to Revenue Recovery Court on 09.12.1999. Since OTS Scheme was introduced by the Department and in view of JERC norms and directions from higher authorities, the dues were transferred to the other active installation in the name of the same consumer bearing CA no. 60001530652. However, after filing of the present complaint, the Department has written to the VP's of Chicalim and Chicolna Bogmalo for further verification and confirmation that both house number were the same and that the reply would be intimated to the Forum shortly. A copy of one such letter to VP Chicalim dated 11.02.2021 is placed in the file.

Parties were called for a hearing at which time the complainant appeared in person while Shri Joao Lucas AE represented the Department. I heard them at length. Shri Lucas contended that Bogmalo village was under VP Chicalim when the connection was granted in 1989, but subsequently was carved out into a separate panchayat of Chicolna Bogmalo and that the house numbers issued by the two panchayat bodies pertained to the same house.

*Handwritten signature: Joao Lucas*



No doubt extant JERC Regulations permit the licensee to transfer any dues pending for over six months to another installation of the same consumer. However, it comes with a rider that this can be done only after thorough verification by the licensee that both consumers are the same. This groundwork was apparently not done by the Department prior to transfer of the arrears; it only relied on information given by "senior neighbours". In fact, the verification was commenced only after receipt of notice of the complaint from this Forum. The Department stated that it wrote to the two Panchayats on 11.02.2021 and 18.02.2021 to furnish the data regarding the old and new house numbers and that the reply would be intimated to the Forum shortly. However, no intimation is received from the Department in this regard even after waiting for a month. In these facts and circumstances, in my view, the transfer of the arrears to the installation under CA no. 60001530652 cannot be sustained.

Be that as it may, assuming for argument's sake that the two installation are of the same consumer, although JERC norms speak of arrears pending for over six months, in my opinion, stretching it to include arrears pending for over 20 years is uncalled for and would override the protection available to the consumer under Sec. 56 (2) of the Electricity Act 2003.

In light of the foregoing, I find considerable merit in the complaint. The same is allowed. The transfer of the arrears of Rs. 17000/- odd to the complainant's installation under CA no. 60001530652 is hereby set aside. The complaint stands disposed accordingly.

**SANDRA VAZ E CORREIA**  
(Member)