

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

Complaint/Representation No. 37/2021/146

Shri. Schubert Sequeira,
Vivenda Morgados, House No.131,
Velsão Mormugao 403712 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-XIV, Verna – Goa.

3. The Assistant Engineer,
Electricity Department,
Div-XIV, S/D- III,
Verna – Goa.

..... **Respondents**

Dated:- 03/11/2021

ORDER

The complainant is a resident of Velsao, Mormugao Goa. He is aggrieved by the raising of electricity bills without release of service connection.

In brief, the complainant's case is that he is the co-owner of an ancestral agricultural property belonging to his late father Mr. Antonio Sequeira bearing Sy no. 22/1 of Pale village in Mormugao taluka. There exists a structure therein for storage of implements,




produce etc. No electricity service connection was ever released to the said property or structure at any point of time in the past. He was shocked and surprised to receive a bill dated 31.08.2021 no. 100034673415 for Rs. 58729/- issued by the licensee Department. He approached the local offices of the Department and pleaded with them to withdraw the bill but to no avail. Based on his verbal complaints, some Department officials inspected the site and confirmed the non-existence of any service connection extended to the complainant's property. Despite this, the Department failed to withdraw the impugned bill. Hence this complaint. The complainant prays for setting aside of the impugned bill dated 31.08.2021 for Rs. 58729/- and all earlier bills issued with respect to the "non-existent and imaginary" connection.

Case of the Department.

On the other hand, Department filed its reply through Sub-Divisional Engineer, SD-III Div. XIV Verna. It is their case that, as per their records, the service connection was released on 11.06.2000 in the name of Mr. Antonio J Sequeira bearing contract account no. 60001992878 and Installation no. 5000146027. The meter number was 217568. No service connection is released without an application in the prescribed format alongwith legal documents. Once connection is released, it is the consumer's responsibility to ensure safe custody of the Department's apparatus as per JERC guidelines. Meter readings could not be taken as the meter was installed in the premises and the same was found to be door lock on many occasions during visit of meter readers to the premises. Notice under Sec. 56 of Electricity Act was issued on 04.12.2020 for clearing outstanding dues of Rs. 46639/-. Bills were issued as connection was existing and the claim of raising bill without service connection did not arise.

Shamshul Hasan

Hearing.

We heard the parties on videoconference at which time the complainant appeared in person while Mr. Suraj Waghmode, AE represented the Department.

Findings.

We perused the file and gave due consideration to the submissions advanced by the parties. The complainant's case is crystal clear; that service connection was never released to his premises and that bills were being issued inspite of this. In this backdrop, the Department ought to have produced some documentary evidence of the application for and/or release of the service connection available in their records. Nothing was brought on record. While there is no doubt in the Department's contention that a service connection cannot be released without an application in the prescribed format alongwith legal documents, it was incumbent on the Department to have produced at least some semblance of these records to rebut the complainant's claim. The complainant made a specific averment at paragraph 6 of the complaint that some officials (one of whom was named) inspected the premises in the month preceding filing of the complaint and confirmed that there never existed any service connection extended to the property or structure therein. This averment was neither explained nor denied by the Department in their reply.

In these circumstances, we are unable to accept the Department's claim that service connection was released in the year 2000 and that the bills were correctly raised.

Order.

In the result, we pass the following order:

1. The complaint is allowed.




2. The impugned bill dated 31.08.2021 no. 100034673415 for Rs. 58729/- is hereby set aside.
3. The licensee Department is directed to stop issuing bills against the purported service connection under contract account no. 60001992878 and Installation no. 5000146027 in the name of the complainant's late father Mr. Antonio J. Sequeira.
4. The complaint stands disposed accordingly.

In case the complainant is not satisfied with the above decision, he is at liberty to file an appeal before the Hon'ble Electricity Ombudsman for State of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Udyog Vihar-Phase IV, Sector 18, Gurgaon (Haryana) 122015, Phone No:0124-4684708, Email ID: ombudsman.jercuts@gov.in.



ASHLEY LEONARD CAMILO NORONHA
(Chairperson)



SANDRA VAZ E CORREIA
(Member)