

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

Complaint/Representation No. 03/2020/03

Shri. Suhas N. Desai,
Opa - Khandepar,
Goa - 403406

..... 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**,
Curti- Ponda Goa.

..... Respondents

Present:

1. Complainant present in person
2. Shri. Deepak Naik

..... for the Respondent

Dated: - 04/03/2020.

ORDER

Per Smt Sandra Vaz e Correia, Member.

This order shall dispose the complainant's complaint/representation dated 17.01.2020 regarding exorbitant billing. In a nutshell, it is his case that the meter installed for his agricultural operations was defective, and the recorded consumption led to issuance of huge bills by the licensee Department. He has been in correspondence on the issue right from March

Sandra Vaz e Correia

Department. He has been in correspondence on the issue right from March 2017 and issued six letters upto 15.05.2018, but did not receive a single reply. Instead, the Department issued a disconnection notice dated 04.01.2019 while demanding payment of Rs. 134550/-. The complainant again issued two letters dated 14.01.2019 and 17.04.2019 seeking rectification of the bills. This time, he received a letter dated 26.04.2019 from the concerned Assistant Engineer admitting defective meter and revising the bills to Rs. 96348/-. The revised bill was not accepted by the complainant as it included delayed payment charges (DPC), in addition to the "door locked" remarks on the bill, his case being that the meter was always accessible. The irrigation pump was underutilized and the actual load was 3HP against sanctioned load of 5HP. The latest bill issued on 14.01.2020 was for Rs. 18540/- with remarks "DP" on the same. He prayed for revision of bills and waiver of DPC.

Per contra, the Department in its para-wise reply, admitted receiving verbal complaints from the consumer since January 2017 in addition to written communications. As meters were likely to be procured by stores division, the consumer was not advised to purchase from the open market. However later, he was asked to arrange one from the local market and the defective meter was replaced on 08.01.2018. On pretext that the defective meter was not replaced, the consumer did not pay the bills. Hence, he was served with disconnection notice. However, the arrears were not cleared even thereafter, leading the department to temporarily disconnect the supply. The meter was found to be defective upon testing by MRT. Accordingly, the bills were revised. DPC was charged since the consumer did not pay minimum charges from January 2017 onwards. The "door locked" remarks were shown on the bills as the consumer had placed a ferocious dog at the entrance that had kept the meter readers away. The latest bill for Rs. 16141/- had been issued on actual consumption and included Rs. 2560/- as DPC that could not be waived off.

We called the parties for a hearing at which time the complainant appeared in person while Shri Deepak Naik EE Div. X represented the licensee Department. They stated their no-objection to these proceedings being heard and decided by a single member, and reiterated their stand taken in the pleadings.

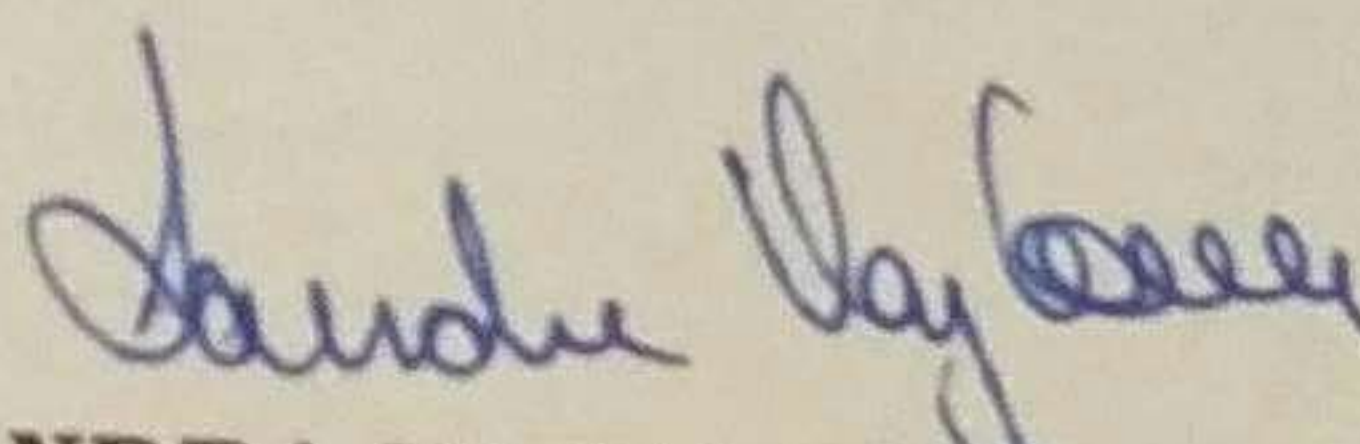
I perused the records in detail and gave due consideration to the submissions advanced by the parties. It is an admitted fact that the malfunction of the energy meter was flagged by the consumer from January 2017 onwards, but the department turned a deaf ear. The plethora of correspondence by the complainant vindicates this position. The Department admits that initially the consumer was not given the option of acquiring a new meter from the open market as these were likely to be procured by stores division. In the meanwhile, issuance of inflated bills based on readings of the defective meter continued. It was only about

Handwritten signature: Sandeep Singh

a year later that the consumer was asked to purchase his own meter. In these circumstances, the consumer could not be faulted for not paying the bills. Thereafter the bills were issued with remarks "door locked" that again aggrieved the consumer. Instead to resolving the issue, the department issued disconnection notice and later temporarily disconnected the supply.

The question that requires my determination is the imposition of delayed payment charges (DPC) in the bills issued from January 2017 onwards. In view of the facts and circumstances narrated earlier, I am of the considered opinion that DPC could not have been charged on the amounts not paid by the consumer against bills issued on basis of readings recorded by a defective meter. Hence, the DPC charged is hereby set aside.

The licensee Department is directed to issue fresh bill without DPC for the period January 2017 till date of temporary disconnection within 30 days from receipt of this order. The revised bill amount shall be recovered from the consumer in equal installments over the next six billing cycles without DPC. Compliance of this order shall be reported to the registry of this Forum within 60 days. The complaint stands disposed accordingly.



SANDRA VAZ E CORREIA
(Member)