



Office of the Electricity Ombudsman

(Appointed by the Joint Electricity Regulatory Commission
for The State Of Goa & UTs under Section 42(6) of the Electricity Act, 2003)
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Ref No: 1/47/2015- EO

Date: 25th March, 2015

Appeal No. 37/2015

Sub: Representation/ Appeal Before the Electricity Ombudsman for JERC for the State of Goa and UTs against the order dated 18.12.2014 of CGRF, Goa filed by Sh. Hemal Khanderia, Celeste plaza, Ground Floor, Opp. Models celebrity Karent Caranzelem, Panjim, Goa regarding faulty meter/excess bills.

To

Sh. Hemal Khanderia,
H.No. 399/1, Convent Square
Sancoale, P.O. Cortalim
Goa

Appellant

The Chief Electrical Engineer,
Electricity Department,
Govt. of Goa, Vidyut Bhawan,
Panaji, Goa- 403001.

The Executive Engineer,
Electricity Department,
Division I, Panaji, Goa

Respondent

Hearing on Monday, 23rd March, 2015

Present: Mr. R. K. Kaul, Electricity Ombudsman for JERC for Goa and UTS.

On behalf of the Appellant:

Sh. Hemal Khanderia,
H.No. 399/1, Convent Square
Sancoale, P.O. Cortalim
Goa

HM

On behalf of the Respondent:

1. Sh. Damodar
Assistant Engineer
Electricity Department,
Goa

2. Sh. Umesh Uchill
Assistant Engineer
Electricity Department,
Goa

Date 25.03.2015

ORDER/ Recommendation

(Settlement through mediation and conciliation)

The appeal/ representation cited above received in the Office of Electricity Ombudsman for the State of Goa and UTs was admitted on 06.01.2015. A copy of the same as received was forwarded to the Respondents on the same day with the direction to submit their remarks/ counterstatement on each of the points relating to the matter of this representation supported by copies of relevant documents, latest by 27.01.2015 with a copy to the Appellants. The point wise reply of the Respondent has been received in the Office of Ombudsman on 27.01.2015.

Settlement by Agreement

Both the parties appeared before the Electricity Ombudsman as scheduled and were heard. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement mutually agreeable could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put forth their pleadings on the matter.

Prayer

- Speedy justice
- Compensation against the loss of business

Pleading by the parties

The Appellant

- The Appellant reiterated the points as mentioned in his representation.

WY

- It was represented that from 1989 to Sept/Oct. 99 (10 yrs), his billing was regular. In the month of Oct/Nov. 99, the meter reading shot up 05 times then the regular and in Dec. 99/Jan 2000, more than the double. Before the disputed period and after the fixation of new meter, the consumption was normal (284 units). In the year 2003, his business was changed and hence his consumption also increased.
- After repeated complaints/requests since Jan 2000, his meter was taken for testing in June 2000 and M.R.T report received in Sept.,2000. For no fault of his, D.P.C. has been charged for the above 9 months period.
- Accordingly he was given a rebate of Rs. 18411/-.
- On 1/02/2002, a letter was received from the electricity department stating that the credit of Rs. 18411/- given earlier is being withdrawn.
- His connection was permanently disconnected on 31/1/2011.
- He had been paying the bills in instalments as his dispute of overbilling was never resolved.
- The Appellant approached CGRF but to no use.

The Respondent

- The respondent reiterated the points as submitted in his reply to the office of Ombudsman.
- It was stated that the Appellant did not pay his bills regularly. Whenever he was threatened for disconnection, he would deposit part payment.
- In the month of Oct, Nov 99, the consumption was 2800 units and in the month of Dec. 1350 units.
- The M.R.T. report does not indicate that the meter was faulty on the count of recording, although when confronted, it was agreed that test results were not within permissible limits.
- The credit of Rs. 18411/- given to the consumer was never withdrawn.
- Due to meter inaccessibility, as the establishment was located at the basement, the meter reading could not taken every month.

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ORDER

- **The licensee is ordered to overhaul the account of the consumer. The rebate of Rs. 18,411 allowed by the department because of faulty meter be given w.e.f. Jan/2000.**
- **As the delayed payment surcharge is being levied by the department, the consumer be given interest at the bank rate also on the amount which remained with the department, if any, When the consumer paid heavy instalments.**
- **The Appellant be allowed to pay the arrear bill in 6 installments, alongwith the current consumption bill, as soon as he applies for new connection and gets the same. The new connection is to be applied for within 30 days of the issue of this order.**

Dated: 25th Day of March, 2015



(R. K. Kaul)
Electricity Ombudsman for JERC
for the State of Goa and UTS

Ref. No. 1/47/2015- EO

1. Sh. Hemal Khanderia,
H.No. 399/1, Convent Square
Sancoale, P.O. Cortalim
Goa
2. The Chief Electrical Engineer,
Electricity Department,
Govt. of Goa, Vidyut Bhawan,
Panaji, Goa- 403001.

Copy to:

1. The Secretary, Joint Electricity Regulatory Commission for the State of Goa and UTs.
2. The Chairperson, CGRF, Electricity Department, Government of Goa, Vidyut Bhavan, 4th Floor, Vasco- 403802, Goa

