

**BEFORE THE ELECTRICITY OMBUDSMAN**

**(For the State of Goa and Union Territories)**

**Under Section 42 (6) of the Electricity Act, 2003**

3<sup>rd</sup> Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18

Gurugram (Haryana) 122015,

Email ID: [ombudsman.jercuts@gov.in](mailto:ombudsman.jercuts@gov.in)

Phone No.:0124-4684708

**Appeal No-210 of 2024**

**Date of Video Conferencing: 8<sup>th</sup> April 2024 and  
15<sup>th</sup> April 2024, 22<sup>nd</sup> April, 2024 and 24<sup>th</sup> April,  
2024**

**Date of Order: 25 April, 2024**

In the matter of: -

Sundeep C Undale

**.... Appellant**

**Versus**

Assistant Engineer, Electricity Department, Goa

**.... Respondent**

**Parties present:**

**Appellant(s)**

Mr Sundeep C Undale

Mr Chandrakant Undale

**Respondents**

Mr Savio B Fernandez,

Assistant Engineer,

Electricity Department, Goa

## ORDER

This representation was filed on 7th March, 2024 by Mr Sundeep C Undale owner of shop No 29 on Second floor of Essar Trade Centre, Morod, Mapusa, Goa under Section 42(6) of the Electricity Act 2003 read with Regulations 32 & 33 of Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations against the order in case No. 35/2023/195 passed by the Ld. Consumer Grievance Redressal Forum (CGRF), Goa on 12.01.2024.

Following a thorough review of the documents supporting the representation, the Ombudsman issued an admission notice on 7th March, 2024. The Ombudsman directed the respondents to file the reply to the appeal filed by the appellant vide this office letter dated 7th March, 2024. The complaint was forwarded to the respondent Superintending Engineer, E.D Goa for filling reply/comments. The comments were filed vide letter No AE-I (U)/VI/O&M/2024-25/Tech-48/21 dated 02.04.2024. The hearing through video conferencing was held on 8th April, 2024, 2024 and 15th February 2024.

The Submissions of the Appellant in brief are as under:

Shri. Sundeep Undale applied for a new electricity connection on 23/01/2023 in the office of the Asst. Engineer, Sub. Div. 1(U), Div. VI, Electricity Department, Mapusa, vide Notification No. 2001001034 Inward No 708, Dated 27.01.2023 for a single phase load of 2.9 KW, for his premises at Shop No B-29 in ESAR TRADE CENTRE, Mapusa, Goa.

He had purchased the premises through auction from The Mapusa Urban Coop bank in the year 2022 vide a Deed of Sale No. BRZ-1-1371-2024 Dated 13/03/2024 though the building has been developed by M/s ESSAR Builders.

This is a very old Single building constructed in the year 2002 and some of the individual owners have occupied the premises after obtaining an occupancy certificate.

His main grievance is that injustice is caused to him by the Asst. Engineer (Shri. Savio Fernandes), Sub. Div. I(U), Div. VI, Electricity Department, Mapusa, by not releasing a single phase connection for 10 months & canceling his application without any information in writing to him (27/01/23

to 25/10/23). He had made multiple visits (40 plus visits) to the department requesting them to release a single-phase connection. The department official felt the heat as the troubled/deprived consumers started approaching the courts and hence put up some proposal/estimate in October 2023 for enhancing the transformer capacity. He has informed/replied to the CGRF court that, the estimate is sanctioned on 21/12/23 and is expected to be executed in the next 10 days. (ie. by 31/12/23).

So far there is no progress seen on site. This proposal to implement and become a reality will take another 6 months or more due to the code of conduct. It appears that the Rules apply to all consumers except to the department officials.

The appellant submitted that the Asst. Engineer Shri. Savio Fernandes (Respondent) and his family have a share in the ESAR TRADE CENTRE, Mapusa, Goa. (As mentioned in the Deed of Sale)

The meter boxes installed for the connections are not sealed thereby creating safety hazards. All the bus bar boxes are kept open without any doors and seals. The consumers are allowed to tap the power for welding, carpentry, repairs, etc. (Even the public can see the activities that are carried out openly in the passages.)

There are around 457 premises in the building and only 130 power connections are released by the department officially.

When the system is getting loaded to 80% of the capacity of the transformer the department must upgrade the system immediately in an electrified area as per JERC Guidelines. This is an old building and the property was attached to Mapusa Urban Coop Bank now they are the individual owners after successful bidding. As per the terms and conditions of supply 3.3(1) Department's obligation to upgrade the distribution system. "The department shall have an obligation to ensure that its distribution system is upgraded, extended, and strengthened to meet the demand for electricity in its area of supply. Wherever the existing transformation capacity is loaded up to 80% of its capacity, the department shall prepare a scheme for augmentation of such transformation capacity."

AND

As per the terms and conditions of supply 3.3(2).



“The department shall meet the cost for strengthening/upgradation of the distribution system to meet the demand of the existing consumers as well as the future growth in demand through its annual revenues or funds arranged by the department and its cost shall be recovered from the consumers through tariff orders approved by the Commission.”

Initially, the builder installed a lesser capacity transformer 100 KVA and the department may have released the power. The required capacity for such a high-rise commercial building with 457 premises should have been at least 400 KVA. (457 premises\*1000 watts =457000 watts approximately 457 KVA). The appellant further stated that:

As an honest law-abiding citizen, I have applied for the power connection which I want to obtain officially.

The Asst. Engineer (Shri. Savio Fernandes) has visited the building on several occasions even with the Ex. Engineer Shri. S. Parsekar and they both have personally seen the various illegal activities taking place in the complex and no action was taken to stop the illegalities. When I brought this to the Notice of the Chief Electrical Engineer, Panjim, he directed all the staff to carry out the inspection immediately. Just imagine the power theft and loss to the department for all these years. He is a Gazetted Officer and neglects his duties till The Chief Electrical Engineer spoon-feeds him.

To date they have not sealed the meter boxes or bus Bar boxes, removed the illegal extensions, carried out any audit, checked the Power Pilferage/Losses, the revenue loss to the Exchequer, nor issued any letters to the consumers to regularize the illegal increase in load. Total negligence.

My responsibility is after the meter and my premise's internal wiring. The department has released connections with loose hanging wiring from the Bus Bar Box to the individual meter boxes, not attended to the loose contacts in the bus bars, and Kept the Bus Bar Boxes and the meter boxes open without sealing.

My application is kept pending to date with a silly reason stating that the transformer is loaded, but after 6 months he has released 3 phase connections to other consumers without enhancing the transformer capacity in the building for the reason best known to him, which requires

thorough investigation. Even in Dec. 2023, he released the power connection in the ESAR Trade Center

The above-named Asst. Engineer has not followed the JERC guidelines of improving/augmentation of the system. I informed him that I would approach the CGRF. He was supposed to and duty bound to improve the system before 2022 knowing that the existing transformer is overloaded as per JERC Clause 3.3(1) and 3.3(2). He informed me that he has submitted an estimate in Dec 2023. This is very lethargic and negligence on the part of Asst. Engineer (Shri. Savio Fernandes).

I don't think that, by releasing my single phase connection of load 2.9 Kw the transformer would have failed due to overloading.

He has not followed the procedure in releasing the connections. My connection Dated 23.01.2023 is kept pending to date and several 3 Phase connections are released at a later date. My connection is canceled without any communication to me despite making around 40 trips to his office. I was informed at the CGRF hearing that my connection was canceled on 25/10/2023. Initially I was told that the Transformer is overloaded. Now he is informing me to install a transformer, cables, and metering panel. I have installed my single-phase meter box at a common metering location at a suitable height to note the meter readings.

Can he justify why the same was not made applicable to the consumers whose connections are released by him after 6-8 months of my application?

The Department has caused me and my family a lot of unnecessary financial problems, health issues, wasted precious time and energy, Sleepless nights, etc.

The officer of ED has not replied to the appellant's letter dated 15.02.2024 Inward no 12456 asking for the actual requirements needed wrt Underground cables and Panel diagrams and sizes, he hasn't replied to date due to which I am unable to comply with CGRF orders.

In compliance with the CGRF's order, the ED is in the process of erection & commissioning of the 400KVA transformer. The appellant in his meeting with Respondent suggested 2 options to release the connection:

(a) To disconnect long nonpayment defaulters

(b) Illegal tapped connections.

Respondent ED, agreed to the proposals and directed his JE, Mr. Vinay Joglekar to inspect the site and report his findings to release my connection. The very next day I met him and he backtracked without assigning any reasons, meaning he was not trustworthy.

The appellant further submitted that the meter box is neither installed in his premises nor outside his premises but it is installed at a common meter point. The meter panel was placed but without any internal wiring dated 08.04.2024

Mr. Shabbir the owner of several premises in the building, has shifted the panel to the workshop to carry out the internal wiring. However similar panels without wiring can be seen placed at other locations in the buildings, similarly, the remaining panels will also be shifted to the workshop for wiring.

As per JERC the consumer is given the option to provide the meter box or energy meter if not the dept has to provide, INSTRUCTIONS in Annexure 1, which I opted to provide and avoid any unforeseen delay by the dept.

The appellant stated that he had received a call from a lady of the Electricity Deptt. Mapusa on 10.04.2024 @ 9:45 am to visit the Essar Trade Centre as officials of ED and the builder were also going to come @ 11:00 am.

As per the directives of the Hon'ble Court on 08.04.2024, Mr. Savio and I were to visit the site and inspect it. Mr Savio abstained from attaining and instead deputed his subordinates. Mr Gauresh JE and the line staff didn't have any knowledge of the case instead he was inquiring from me about the situation of problems. JE and his staff clicked the photos and went away.

The wiring of the bus bar on the 1st floor is in a total mess with loose connections done by the dept also with hanging wires and damaged insulation. This is posing a threat to human life a child can easily touch the bus bar that's not sealed. The loose connection done by the dept can lead to a big fire gutting the whole building in the fire. There are numerous wooden furniture shops, godowns, restaurants, government offices, grocery shops, etc crowded with the public, fire in such areas can pose a threat to human life and property.

The temporary connection to my shop is also extended from this bus bar worsening the problems further.

My demand and my prayer is as follows:

My permanent power connection is to be released immediately replacing the Temporary Connection.

Compensation to be paid to me for the business loss for 14 months @Rs. 10000/-\*16 months = Rs. 1,60,000/- Plus Mental torcher Rs. 5000/- Plus Stationary and postage for correspondence Rs. 1000/- Plus Travelling Rs. 10000/- (Total Rs. 1,76,000/-) (Rupees One Lakh Seventy Six Thousand only). The target period for providing connections 3.7(1) for Single Phase LT connection is 30 days. In my case, more than 1 year 4 months have lapsed.

Also pay the penalty of Rs 250 per day for a period from 27.01.2023 till the date the New Permanent Connection is released as per the orders of the CGRF dated 12.1.2024.

The Submissions of the Respondent in brief are as under:

The Complainant's premises is housed in a Multi-storeyed complex building situated at Morod Mapusa, comprising more than 400 shops and offices spread over 4 levels, Basement, upper ground, 1st floor, 2nd Floor. The Connection is sought in premises located on the 2nd floor Block B. Presently 127 Electricity connections have been released and several prospective applicants are waiting for connections. However, due to incomplete infrastructure applications submitted are rejected. Presently the existing 100KVA transformer which was erected more than 20 years ago is enhanced to 400KVA as per the directives of CGRF even though the same was not in as per the provisions of Electricity Supply Code 2018 clause No. 5.57(3,4). The application was dated 25/01/2023, shortcomings were raised on 14/02/2023 and intimated to the consumer through computer generated system via e-mail on the address furnished by the consumer email furnished by the applicant SUNDEEBIKERBOY@GMAIL.COM

Further as the application is in a multi-complex premises, clause 5.37 of the Electricity supply code 2018 is applicable in the instant case.

If a building comes under the category of a multi-consumer complex and if a separate distribution transformer of sufficient capacity is necessary for giving supply to such building which was not provided earlier, it will be provided at the cost of the builder/developer/society

consumer. Alternatively, the builder/developer/society/ consumer shall bear the additional cost to augment the capacity of the existing 11/0.4 kV substation, if found necessary by the Licensee. Thereafter the applicant approached the Consumer Grievances Redressal Forum (CGRF) Notice was received by this office from the forum on 21/12/2023.

The final order in this case was passed on by the CGRF on 12/01/2024, directing the complainant to complete the underground cabling and metering panel works as required by the Licensee Department.

Also directing the Licensee Department to Augment the existing Transformer capacity from 100KVA to 400KVA.

The directive of the CGRF is contrary to clause 5.57, the same was brought to the notice of the forum. The matter was discussed with the Chief Electrical Engineer and as a temporary relief, the undersigned was directed to release a temporary connection till the Electrical panel was erected. Also, it was directed to inspect the entire premises to check for unauthorized extension/Theft.

Inspections were carried out by this office along with the office of Asst. Engineer (Central Vigilance Cell) and Asst. Engineer (MRT). A total of 14 Consumers were booked for unauthorized extension, same were penalised by the Asst. Engineer (commercial). The inspections are still being continued for misuse.

As directed by the Forum, the photograph of the 2nd floor where the electrical pane is to be fixed is enclosed along with the photo of the entire building. Annexure 2

Also information regarding the Building society was found, the same is furnished for your reference in Annexure-3.

Hearing dated 08.04.2024

Present:

Mr Sundeep C Undale

Appellant

Mr Chandrakant Undale

For Appellant

Mr Savio B Fernandez, Assistant Engineer,

For Respondent





E.D. Goa.

Mr Chandrakant Undale representing the appellant Mr Sundeep C Undale submitted that they had applied for a new connection vide application number 2001001034 on 27.01.2023 for his premises being Shop no. 29 on the 2nd floor of Esar Trade Centre, Morod, Mapusa on 23.01.2023. He visited the Department's office on at least 40 occasions but he did not get any favorable response from the department. Many applications for new connections in the same building complex made after him were released. Feeling aggrieved they approached the CGRF Goa which ordered the Electricity Department to augment and/or upgrade the transformer capacity and distribution system at Esar Trade Centre at Morod Mapusa within 45 days from receipt of the order dated 08.12.2023 passed by this Forum in Complaint/Representation no. 27/2023 (Sushant Chari) and release the complainant's connection within 8 days thereafter on compliance of all formalities. The augmentation work is still pending.

The Respondent Electricity Department submitted that the application for a new connection was received on 27.01.2023. Two 'shortcomings' were noted on the file, namely, no connection could be released until a new DTC was installed, and the notification was canceled on 25.10.2023. Enhancement of existing transformer was proposed on 09.10.2023 and forwarded to higher authorities, and the estimate was sanctioned on 21.12.2023 and the same is expected to be executed within 10 days, given a direction of this Forum in the complaint/representation no. 27/2023 of Sushant Chari.

The connection could also not be released as the builder had not completed the infrastructure which fact was brought to the notice of the complainant. However, the builder approached the Department to install the cable and panel and the Department responded on 18.12.2023 with a copy to the complainant. The builder had been asked to provide basic infrastructure i.e., underground cable from the transformer to the busbar.

The capacity of the transformer was 100KVA and the proposal is for enhancement to 400 KVA. The 400 KVA transformer that was referred to by the complainant was of "Kim Heights" which was above Esar Trade Centre.



The Department's Centralized Vigilance Cell had issued a letter to the complainant dated 14.12.2023 informing him of this Forum's directions in Sushant Chari's case to upgrade the distribution system within 45 days of receipt of the order and completion of all formalities, and that the latter included laying of underground cable at the metering panel works as per Departmental norms.

Both the parties were heard at length and it was directed to Respondent Mr Savio to arrange for the site inspection to ascertain the status of the Panel Board and submit a report. The appellant has also been directed to submit the written submission.

The next D.O.H has been fixed for 15.04.2024 @ noon.

Hearing on 15.04.2024.

Both the parties have submitted their written arguments which are taken on record.

The Respondent Ed has confirmed that there is no Panel Board available on the IInd Floor B Block of the building from where the sub-mains to Mr Sundeep Undale is proposed to be fed. Mr Sundeep Undale also confirmed the facts.

Mr Savio has submitted a letter dated 12.04.2024 from M/s Essar Builders stating that the proposed plan to upgrade the electricity panel at Essar Trade Center, Mapusa is underway and is being executed in a planned manner. The Electric panel boards are being repaired, renovated, and installed besides some are on order. Accordingly, Respondent ED been directed to organize a meeting with the Builder and the shop owners of B Block IInd Floor so that the modalities of providing electric panel boards can be decided because as per the Respondent's submission, the builder is working on a cost-sharing model for panel board work. Mr Sundeep Undale has also been directed to coordinate with the other shop owners of IInd Floor, B Block to attend the meeting in the office of Respondent.

Hearing on 22.04.2024.

Present: Mr Sundeep C Undale

& Mr Chandrakant Undale

Mr Subhash Executive Engineer ED Goa & Mr Savio Fernandez

Appellant

For Appellant

For Respondent ED

Mr Sundeep Undale has submitted an Email stating that the meeting with the Builder scheduled for 18.04.2024 could not materialize. Mr Subash Executive Engineer submitted that he will take initiative to organize the meeting with Builder and Owners on 23.04.2024.

Request allowed and N.D.O.H fixed for 24.04.2024.

Hearing on 24.04.2024.

Present: Mr Sundeep C Undale

Appellant

& Mr Chandrakant Undale

For Appellant

Mr Subhash Executive Engineer ED Goa & Mr Savio Fernandez For Respondent ED

The Executive Engineer, ED Goa submitted that the scheduled between Builder, Shop owners and Department held on 23.04.2024 and collectively they have resolved the issue. Now the department has agreed to release a permanent connection in favour of Appellant.

The Appellants grievance resolved.

Findings and analysis:

The appellant had applied for a new connection for his shop No 29, IIInd Floor of Essar Trade Center, Morod, Mapusa on 23.01.2023 vide his application No 2001001034. The subject building is a multi-storeyed building having 4 levels (basement, Upper Ground, Ist, and second floor). These 4 Leveles comprise 457 shops on all 4 Floors.

This building was developed by ESSAR BUILDERS but later on, this Building was auctioned by The Mapusa Urban Co-op bank in the year 2022 on as is where is basis. With time about 130 connections have been installed in piece meal manner without following the procedure as stipulated in the JERC Supply Code 2018.

As per Regulation 5.56 & 5.57 "Procedure for Supply to Multi-Consumer Complex" of JERC Supply Code 2018

In case of multi-consumer complexes, such as Group Housing, etc., the new connection sought shall preferably be provided at single point with single meter on LT if load is up to 100 kVA and on HT if load exceeds 100 kVA. A new connection will not be granted until the entire electrical infrastructure is completed. The Licensee shall ensure energization of new connection only after

physically verifying the entire internal electrical infrastructure and fulfilment of Regulation **Error! Reference source not found.** However, this shall not restrict the individual owner or occupier of any premises for applying for individual connection and the Licensee shall sanction such individual connections. The choice of having single LT/HT connection or individual connections, once exercised before release of connection, cannot be revoked due to operational problem.

In case the connected/contracted load of any connection is projected to be more than 100 kVA, a separate transformer of adequate capacity shall be installed at consumer's cost. The space/room required for housing the transformer, substation, switch gears, meters and panels shall be provided by the consumer, free of cost, which is easily accessible to the Licensee.

For any new connection with connected /contracted load lower than 100 kVA also, Licensee may install a separate transformer if requested by the consumers, at consumer's cost.

In case the consumers in Multi-consumer complex have availed individual connections, separate connection shall be provided for consumption of energy for common services such as lifts, pumps for pumping water, etc., and such consumption of such connection shall be billed at highest slab of respective tariff category.

For all the connections exceeding 11 kV for multi-storeyed building of more than fifteen metre in height, the connection shall be released after obtaining the certificate from Electrical Inspector in accordance with the provisions of Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 as amended from time to time.

For such Multi Consumer complexes, the builder / developer / society/ Owners Association. shall be liable to pay service connection charges, i.e., cost of service connection from the existing network of the Distribution/Transmission Licensee to the point of supply, as approved by the Commission from time to time.

Note: The developer/builder/society/ Owners Association includes any agency whether Government, local body or private that constructs the Multi-consumer Complex.

Location for installation of meter should be decided in consultation with the consumer in accordance with the procedures detailed in Chapter 6 of this Supply Code, 2018.

Connections for common facilities like lift, water pumps, etc., shall be given in the name of the builder / developer / society/ Owners Association.

In case the original approved plan is for a multi-consumer complex, but the builder/developer / society / consumer desires to avail connection for a portion of it, the connection shall be provided treating it as a multi-consumer complex.

If a building comes under the category of a multi-consumer complex and if a separate distribution transformer of sufficient capacity is necessary for giving supply to such building which was not provided earlier, it will be provided at the cost of the builder/developer/society consumer. Alternatively, the builder/developer/society/ consumer shall bear the additional cost to augment the capacity of the existing 11/0.4 kV substation, if found necessary by the Licensee. On receipt of requisition from the builder/developer/society consumer for the supply of electricity to multi-consumer complexes, the Licensee shall extend the supply as per this Supply Code, 2018.

Initially, a 100 KVA Transformer was installed to give electricity connections to the shop owners. When more owners applied for connections this 100 KVA Transformer was overloaded and the department stopped releasing new connections till a new DT is installed. Accordingly, the application of the appellant was rejected and intimation in this regard has been sent by the department vide system-generated Email to the applicant on 14.02.2023.

Thereafter, in April/May 2023 two more applications from Adv Mr Sarvesh G Kalngutkar for his shop No A/11/SF and Mr Sushant G Chari for his shops No 10,13 & 31 located on the second floor of the same building were applied. The connection to Adv Mr. Sarvesh G Kalngutkar's shop was released on 11/09/2023 and the connection to Mr. Sushant G Chari could also not be released as the builder had not completed the infrastructure and the augmentation work of the 100KVA Transformer to 400KVA Transformer is still underway as reported by the appellant.

In the meantime, the appellant approached Ld CGRF Goa for redressal of his grievance regarding the release of connection. Ld CGRF passed an order stating that

"The Licensee Department is directed to augment and/or upgrade the transformer capacity and distribution system at Esar Trade Centre at Morod Mapusa within 45 days from receipt of the order dated 08.12.2023 passed by this Forum in Complaint/Representation no. 27/2023

(Sushant Chari) and release the complainant's connection within 8 days thereafter on compliance of all formalities, failing which the Licensee Department shall pay the complainant a sum of Rs. 250/- for every day of default."

The matter was escalated to the Chief Engineer Electricity Department Goa by the appellant and a temporary relief was given by allowing a temporary connection as the basic infrastructure of Electric Panel and cable etc has still not been provided by the Builder or the shop owner. However, the noncompliance with the orders of Ld CGRF and deviation administered have also not been intimated to Ld CGRF by the department.

Further, as per the orders of Ld CGRF, the department was required to augment the existing 100 KVA Transformer to 400 KVA Transformer within 45 days from the date of order i.e. 08.11.2023. The time limit of 45 days ends on 23.12.2023 but the augmentation work of the Transformer is still not completed even after 100 days more than the stipulated timelines given by Ld CGRF. This shows a callous attitude of the department towards resolving customer grievances such as the basic need of providing electricity.

Hence, it is ordered:

Having perused the documents on record and submissions by both the parties, the present appeal filed by the appellant is allowed.

The appeal filed by the appellant is allowed.

The orders passed by the Ld CGRF in complaint No 35/2023/195 are upheld.

In the present case, there are many discrepancies observed. The subject building where the connection is sought is a Multi-story complex for which clear guidelines are available in Regulations 5.56 & 5.57. In this case, there has been no load assessment done by any officer at any point of time. The 100 KVA Transformer provided was inadequate to cater to the load of this building. Even the present augmentation work being done is not sufficient if all the shop owners are to be provided with an electricity connection. The Respondent (Mr Savio Frenandes) has informed us that many other shop owners are awaiting clearance from the department and they will come forward for availing connection. As such the newly augmented transformer is either to be upgraded again or an additional transformer will be required for which the substation

space as required under Regulation 5.12 of JERC Supply Code 2018 will be a challenge at a later stage.

Now since the building has been electrified by providing electricity connections to almost 25% of the occupants, this cannot be treated as an unelectrified complex and the onus to provide electricity lies with the Electricity Department Goa. Had a comprehensive planning as per the guidelines stipulated in the JERC Supply Code 2018 the transformer along with allied equipment could have been installed at the very initial stage at the consumer's cost. Now the responsibility lies with the department following Regulation 5.9 of JERC Supply Code 2018 which provides as under:

The Licensee shall meet the cost for strengthening/upgradation of the distribution system to meet the demand of the existing consumers as well as future growth in demand through its annual revenues or funds arranged by the Licensee and this cost shall be allowed to be recovered from the consumers through tariff by the Commission subject to prudence check.

The appellant had applied for a new connection vide his application No 2001001034 dated 23.01.2023 and the department has replied via system-generated Email dated 14.02.2023 stating that the subject building is multi-storeyed building and connection cannot be installed till new DTC is installed. Besides this there are other requirements of Panel Board and cable from Distribution Board to Panel which is to be provided by the Builder/applicant/RWA. This is within the guidelines of Regulation 4.24 of JERC Supply Code 2018. As such no compensation on account of delay in providing connection is permissible.

The Licensee shall not be held responsible for the delay in giving supply if the same is on account of problems relating to statutory clearances, right of way, acquisition of land, or the delay in consumer's obligation to obtain approval of Chief Electrical Inspector for High Tension installations, over which the Licensee has no reasonable control.

The 100KVA installed initially, for providing connection is inadequate and undercapacity to cater the entire load of 457 shops. Although, the existing 100 KVA Transformer has been augmented to 400 KVA but the same is still inadequate if all the 457 shops are to be provided with electricity connection. Executive Engineer, Electricity Department Goa should take timely action to create adequate transformation capacity to cater to the load of this complex as per regulation 5.8 &

5.9 of JERC Supply code 2018 so that all future connections can be released subject to fulfillment of all requisite formalities of provision of Electrical Panel for meters and cable from Distribution Box to the Electric panel in accordance with Regulation of JERC Supply Code 2018.

The Licensee shall have obligation for ensuring that its distribution system is upgraded, extended and strengthened to meet the demand for electricity in its area of supply. Wherever the existing transformation capacity at sub-station end is loaded up to 70% of its capacity, the Licensee shall prepare a scheme for augmentation of such transformation capacity after factoring in (N-1) contingency. . The Licensee shall display the monthly updated status of transformation capacity for each sub-stations on its website.

The Licensee shall meet the cost for strengthening/upgradation of the distribution system to meet the demand of the existing consumers as well as future growth in demand through its annual revenues or funds arranged by the Licensee and this cost shall be allowed to be recovered from the consumers through tariff by the Commission subject to prudence check.

In all cases of new connections, the consumer shall bear the Service Connection Charges, that is the cost of service connection from the Distribution Mains to the point of supply, as approved by the Commission from time to time.

The existing temporary connection released in favour of appellant shall be converted to a permanent connection with immediate effect and the appellant should complete all the formalities afresh for new connection. The appellant is also directed to extend full cooperation with the department in completing the commercial formalities.

Besides this, no other compensation is tenable in this case as such the request for compensation is dismissed.

The Department should immediately carry out the inspection of entire building regarding electrical safety of the Bus-bars which are lying open and the cableing is in a haphazard manner. The Junior Engineer who is responsible for the maintenance should do the needful within seven days and submit the compliance within next seven days to the Executive Engineer, ED Goa. All the Bus bars and meter Boxes are required to be sealed properly and photographed for record purpose. Wherever required the cooperation of the consumers be sought because the electrical safety is of prime importance for one and all.





The Respondent/Licensee (ED) is directed to submit compliance report within 15 days from the date of issue of receipt of this order as per JERC Regulation No. 26/2019 under Clause 27(1).

A certified copy of this order shall be forwarded to the Executive Engineer (Respondent/Licensee) and the Nodal Officer CGRF Goa.

The appeal is accordingly disposed of.



(C M SHARMA)

Electricity Ombudsman

For Goa & UTs (Except Delhi)

Dated: 25 April, 2024

