

**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-234 of 2024**

**Date of Video Conferencing: 24.01.2025**

**Date of Order: 27.01.2025**

**In the matter of**

Adv. Tarzan D'Costa, S/o Paul D' Costa,  
R/o Flat No.303, Gaspar Apartments,  
Opp. Peoples High School, Rua-de-Ourem,  
Fontainhas, Panaji, Goa 403001.

**.... Appellant**

**Versus**

1. The Chief Electrical Engineer, Electricity  
Department, Government of Goa,  
Vidyut Bhavan, Panaji - Goa.
2. The Executive Engineer, Electricity  
Department, Div1, Panaji - Goa.
3. The Assistant Engineer, Electricity  
Department, Div - 1, S/D-II, Panaji - Goa.

**.... Respondent**

**Parties present:**

**Appellant(s)**

Adv. Tarzan D'Costa, S/o Paul D' Costa.

**Respondent(s)**

1. Mr. Paresh Jayant Sawaikar,  
Executive Engineer, Electricity Department,  
Div1, Panaji - Goa.  
Mr. Sydney D'Costa,  
Assistant Engineer, Electricity Department,  
Div - 1, S/D-II, Panaji - Goa.

### INTERIM ORDER

This representation was filed on 18th December, 2024 by Adv Tarzan D'Costa R/o Flat No.303, Gaspar Apartments, Opp. Peoples High School, Rua-de-Ourem, Fontainhas, Panaji, Goa 403001 under Section 42(6) of the Electricity Act 2003 read with Regulations 35 & 36 of Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations 2024 against the order dated 18.11.2024 in case No. 45/2024/202 passed by the Ld. Consumer Grievance Redressal Forum (CGRF), Goa.

Following a thorough examination of the documents supporting the representation, the Ombudsman issued an admission notice on 18th December, 2024. The Ombudsman directed the respondents to file the reply to the appeal filed by the appellant vide this office letter dated 18.12.2024.

The Respondent Executive Engineer, E D Goa submitted his comment on 16.01.2025 and E hearing notice was issued on 10.01.2025 for hearing through video conferencing was fixed for 17<sup>th</sup> January, 2025. As No one appeared for hearing on the scheduled date of 17<sup>th</sup> January, 2025 the case is rescheduled for 24.01.2025.

Brief facts of the case are as under: -

1. The Appellant is a consumer of electricity connection No. 60000260541 supplied by the Electricity Department, Goa, for the residential flat at Flat No. 303, Gaspar Apartments, Opp. Peoples High School, Rua-de-Ourem, Fontainhas, Mala Panaji, Goa – 403001. The Appellant has raised multiple grievances concerning the electricity meter installed by the Respondent and the subsequent disconnection, replacement of the meter, irregular billing, and other issues.
2. The Respondent installed a new meter (Meter No. H-009865) at the Appellant's premises on 28/04/2021.
3. The Appellant had been receiving regular electricity bills until 23/11/2023, when no further bills were issued.
4. After raising concerns, the Appellant was informed by the Respondent on 25/01/2024 that the meter was inaccessible for reading despite being housed in a box with a glass window.



5. The Appellant cooperated by removing the padlock for easier access and requested the Respondent to seal the box on a mutually convenient date, which was refused by the Respondent.
6. The Respondent, on 08/02/2024, broke open the meter box, disconnected the meter, and replaced it without prior notice, in violation of Section 56 of the Electricity Act, 2003.
7. No bills were issued for the new meter for a significant period, and the Appellant raised repeated concerns regarding the delayed issuance of bills and incorrect billing.

Prima Facie Findings:

The Appellant has submitted that the disconnection and replacement of the meter was done arbitrarily and without proper notice, contrary to the provisions of the Electricity Act, 2003 and the JERC Electricity Supply Code, 2018.

The Respondent's failure to issue timely and correct bills for the new meter and the arbitrary revision of bills from 19/11/2022 to 07/02/2024 appears to be in violation of established statutory provisions.

The Appellant's claim that the meter was accessed regularly and that all prior bills reflected consistent readings is not adequately addressed by the Respondent in their submissions.

The Respondent's failure to inform the Appellant of the results of the meter testing and to comply with Regulation 6.39 of the Electricity Supply Code raises concerns of procedural non-compliance.

8. Directions:

- A. The Respondent is hereby directed to maintain the status quo with respect to the Appellant's electricity meter, including the billing process and any actions related to the meter replacement and disconnection. No further action, including disconnection or modification of the meter, shall be taken by the Respondent without prior permission from this Forum.
- B. The Respondent is directed to ensure the presence of the Original Equipment Manufacturer (OEM) of the meter, M/s HPL, at the next date of hearing scheduled for 13th August 2025. M/s HPL shall provide a detailed report regarding the functionality, testing, and condition of the replaced meter, as well as any concerns related to its prior usage.

- C. The Respondent is further directed to issue the pending bills for the new meter (Meter No. SS21552742) in a timely manner, based on actual consumption, as per the applicable provisions under the Electricity Act, 2003 and the JERC Electricity Supply Code. Any overdue bills shall be communicated to the Appellant along with a clear explanation for any discrepancies.
- D. Refund of Excess Dues: The Respondent is directed to provide a detailed explanation regarding the excess amount of ₹10,758.56 that was deducted under the OTSS-2022 scheme, and to refund the same if found due to the Appellant.
- E. The matter is adjourned for further proceedings to the next scheduled date of hearing, 13th February 2025. Both parties are instructed to submit any additional documents or evidence that may be required for the next hearing.
- F. The Respondent is directed to comply with all statutory provisions related to the billing, disconnection, and meter replacement process, ensuring no further inconvenience is caused to the Appellant.

This Interim Order is passed in the interest of justice and to ensure that the Appellant's rights as a consumer are safeguarded.

  
27/1/25

(C M SHARMA)  
Electricity Ombudsman  
For Goa & UTs (except Delhi)

Dated: 27.01.2025