BEFORE THE ELECTRICITY OMBUDSMAN
(For the State of Goa and Union Territories)
Under Section 42 (6) of the Electricity Act, 2003
3rd Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18
Gurugram (Haryana) 122015,
Email ID: ombudsman.jercuts@gov.in
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Appeal No-243 of 2025

Date of Video Conferencing: 17.09.2025 and 26.09.2025
Date of Order: 30.10.2025

In the matter of

Mr. Mario Valadares
R/o Consua, Cortalim,
Goa .... Appellant

VERSUS

The Executive Engineer,
Division -11,
Electricity Department,
Vasco, Goa

The Assistant Engineer,
Division -11, Sub Div-2
Electricity Department,
Vasco, Goa ....Respondent(s)

Appellant(s)	Ld. Adv. Mr. Coelho Pereira and Ld. Adv. Vledson Braganza for Appellant Mario Valadares
Respondent(s)	Mr. Gangu R Kuttikar, Executive Engineer, Division -11, Electricity Department, Vasco, Goa

ORDER

This representation was filed on 19.08.2025 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 10.07.2025 in case No. CG-14/2025/17 arising out of Complaint/ Case No. 36/2017 passed by the Ld. Consumer Grievance Redressal Forum (CGRF), Goa. The order dated 12.12.2017 in Complaint/Case No 36/2017 was set aside by Hon'ble High Court of Bombay at Goa in an order dated 04.03.2025 in Writ Petition No 606 of 2022. In its order, Hon'ble High Court of Bombay at Goa remanded the case to CGRF, Goa for fresh adjudication of the Respondents Complaint based on which, the impugned orders were passed with the direction to dispose within 4 months. Ld. CGRF passed the orders on 10.07.2025. The Appellant feeling aggrieved of the decision filed the present appeal against the orders passed by Ld. CGRF, Goa.

After a thorough examination of the complaint and following due process, the admission notice was issued on 19.08.2025. A copy of the complaint was forwarded to the Respondent, Executive Engineer, Executive Engineer, Division-11, Electricity Department, Vasco, Goa directing him to file a reply to the appeal filed by the Appellant Shri Pawan Kumar, vide this office letter dated 19th August 2025.The Respondents filed their reply/comments vide letter No EE/Div.XI/Tech-110/4192/2025-26 dated 23.09.2025.

A. Submission by the Appellant:

That the Appellant, an industrial consumer holding electricity connection No. 60001724065 with a sanctioned load of 48 HP/36 kW, has challenged two demands raised by the Electricity Department amounting in total to ₹55,41,997/–.

That the first demand of ₹ 44, 13,108/– arises from the Department's revision of energy bills by retrospectively applying a Multiplying Factor (MF) of 20 from the date of release of connection on 02.12.2005.

That the second demand of ₹11,28,889/– pertains to a purported revision of bills for one-third of the recorded consumption during the period 14.05.2015 to 08.06.2017 on account of an alleged malfunction of the Y-Phase Current Transformer (CT).

That the Appellant contends that he has been a regular and law-abiding consumer who has consistently paid all bills raised by the Department. There has been no instance of meter tampering or manipulation. He asserts that both demands have arisen solely due to administrative and technical lapses attributable to the Department and not due to any act or omissions on his part.

That in respect of the Multiplying Factor–related demand, the Appellant submits that the same represents a time-barred claim arising from a clerical error in billing. However, without prejudice to his rights, the Appellant offered to liquidate the said amount in sixty equal monthly instalments, without levy of interest.

As regards the CT-related demand, the Appellant disputes the liability on grounds that the Department failed to substantiate the assessment period of two years, furnish transparent calculations, or explain the prolonged non-rectification of the alleged defect in the Y-Phase CT. He further submits that his consumption pattern remained stable throughout the relevant period, indicating that the alleged defect had negligible impact on actual consumption.

That the Appellant contends that the Department's reliance on Section 56(2) of the Electricity Act, 2003 is misplaced, as the said provision cannot be invoked to recover dues resulting from departmental negligence or delay, rather than consumer default.

That the Department, while acknowledging the Appellant's regular payment record, maintained that both demands were raised in accordance with law and departmental procedures. It justified the revision on account of MF correction amounting to ₹44,13,108/– as being in conformity with the JERC norms and Clause 13(a) and (b) of the Government Notification published in Official Gazette, Series I No. 15 dated 12.07.2012.

With regard to the CT-related demand of ₹11,28,889/–, the Department relied on the Meter Reading Test (MRT) Report, asserting that it conclusively established the malfunction of the Y-Phase CT, resulting in under-recording of one-third of actual consumption.

The Consumer Grievance Redressal Forum (CGRF), Goa, framed the following two issues for determination:

A. Whether the Department was justified in claiming ₹44,13,108/– towards unbilled energy due to erroneous application of Multiplying Factor (MF) retrospectively from 02.12.2005; and
B. Whether the Department was justified in raising a demand of ₹11,28,889/– towards one-third of consumption for the period 14.05.2015 to 08.06.2017 due to malfunctioning of the Y-Phase CT.

On Issue

(a) The CGRF held in favour of the Department, concluding that it was entitled to recover the amount that escaped billing due to application of incorrect MF.

(b) The CGRF held that there was no appreciable variation in consumption after 14.05.2015 and that the Department, being aware of the defect, had failed to rectify it in time. The Forum, therefore, found no justification in the Department's claim of ₹11,28,889/–.

That the CGRF directed the Department to recover ₹32,84,219/– (as of 07.09.2017) along with accrued Delayed Payment Charges (DPC) and other dues, if any, in sixty equal instalments over the next 60 billing cycles. It further directed that no additional DPC shall be levied on this consolidated amount except in case of default in any instalment.

That the Appellant submits that, in purported execution of the CGRF's order dated 10.07.2025, the Department issued a supplementary bill of ₹1,26,81,148/–, comprising ₹42,76,640/– towards arrears and an additional ₹84,04,508/– as delayed payment charges. The Appellant argues that such imposition of DPC is arbitrary, excessive, and contrary to the CGRF's direction that no further DPC shall be levied except in case of default.

That the Appellant contends that the Department's action amounts to penalizing him under colour of authority for no fault of his own and constitutes a violation of the principles of natural justice. He therefore seeks appropriate relief from this forum against the impugned supplementary demand and delayed payment charges imposed thereunder.

The Appellant prayed that this forum to:

(a) Quash and set aside the order dated 10.07.2025 passed by the Consumer Grievance Redressal Forum, Goa, in Case No. 14/2025;

(b) Quash and set aside the subsequent departmental notice dated 30.07.2025 bearing No. AE(Com)/SDE-II/Accts-37/364/25-26, along with the corresponding energy bills amounting to ₹1,26,81,148/–;

(c) Quash and set aside the bill dated 20.06.2018 for an amount of ₹1,26,148/–.

B. Submission by the Respondent:

The Respondent Executive Engineer, Electricity Department, vide letter No. EE/Div.XI/Tech-110/4193/2025-26 dated 23.09.2025, has furnished written comments in response to the appeal filed by the Appellant.

The brief facts and submissions, as presented by the Respondent, are summarized below.

The Meter Relay Testing (MRT) Unit, Margao on 29.06.2017, inspected the consumer installation of Mr. Mario Valadares, bearing CA No. 60001723950 (LTC). During the inspection, the following discrepancies were observed:

a) The Multiplying Factor (MF) of 20 had not been applied for billing since the date of connection;

b) The Y-phase Current Transformer (CT) was not delivering current, resulting in under-recording of consumption; and

c) The connected load was found to be 62 kW against the sanctioned load of 32.30 kW.

Based on these findings, the Department carried out two assessments:

An amount of Rs. 32,84,219/- for non-implementation of MF = 20 from 02.12.2005 (date of connection) to 08.06.2017; and

An amount of Rs. 11,28,889/- under Section 126 of the Electricity Act, 2003 for unrecorded consumption due to the open Y-phase CT during 14.05.2015 to 08.06.2017.

The total assessment thus amounted to Rs. 44,13,108/-, for which a supplementary bill was issued.

The consumer challenged the assessment before the CGRF in Case No. 36 of 2017. The CGRF, vide Order No. 36/2017/210 dated 12.12.2017, directed the Department to:

a) Revise the MF assessment from 12.07.2014 to 08.06.2017 and recover the said amount in 60 equal instalments without DPC; and

b) Set aside the assessment under Section 126 relating to the open CT.

Aggrieved by the said order, the Department filed a petition before the Hon'ble High Court of Bombay at Goa on 14.02.2020. The Hon'ble Court, vide order dated 04.03.2025, remanded the matter back to the CGRF for fresh adjudication.

Upon reconsideration, the Ld. CGRF, Goa passed Order No. GOA CG 14/2025/17 dated 10.07.2025 in Complaint/Representation No. 36/2017/72, directing the Department to:

a) Recover Rs. 32,84,219/- (as on 07.09.2017) together with accrued DPC in 60 equal instalments, and

b) Set aside the claim of Rs. 11,28,889/- raised under Section 126.

Pursuant to the above order, a supplementary demand of Rs. 1,26,81,148/- was raised for the period 07.09.2017 to 10.07.2025, and an instalment plan over 60 billing cycles was initiated in compliance with the CGRF's directions.

The consumer, aggrieved by the said order and the additional demand, filed the present appeal before this forum.

The para-wise reply to the Appeal

- Paras 1 to 6 of the appeal are admitted as correct, except where otherwise clarified.
- With reference to Para 3, the Respondent states that the correct CA No. is 60001723950, and not 60001724065 as mentioned by the Appellant.

In response to Para 7(i), the Respondent submits that the installation stands in the name of Mr. Mario Valadares, who is the registered consumer. It is denied that the amount assessed was Rs. 55,41,997/- as alleged. The Department confirms two valid demands—

I. Rs. 32,84,219/- towards retrospective application of Multiplying Factor (MF); and

II. Rs. 11,28,889/- under Section 126 for unrecorded consumption.

These assessments were made in accordance with the Government Gazette Notification (Series I No. 15 dated 12.07.2012, Clause 13(a) & (b)) and Section 126 of the Electricity Act, 2003.

In reply to Para 7(ii), the Respondent denies the figures mentioned by the Appellant. The billing was correctly revised by applying MF = 20 retrospectively from 02.12.2005. Correction of such billing error is permissible in law to protect public revenue, and the consumer remains liable to pay the differential amount.

In reply to Para 7(iii), the Respondent submits that the MRT Inspection Report dated 29.06.2017 conclusively established that the Y-phase CT was open and no seals were present on the meter box or terminal cover. Consequently, one-third of the actual consumption escaped billing during 14.05.2015 to 08.06.2017, warranting assessment under Section 126 of the Electricity Act, 2003.

Paras 7(iv) to 7(vii): The Respondent submits that both demands were raised strictly on the basis of MRT findings and verified technical evidence. The liability to pay arises from actual consumption, and the Department acted fully within the framework of the Electricity Act and applicable regulations.

Paras 7(viii) to 7(xii): The computation of Rs. 32,84,219/- for MF correction and Rs. 11,28,889/- under Section 126 is correct and supported by record. The supplementary bill raised pursuant to the CGRF's final order is also in conformity with law and established billing procedure.

Prayer

Considering the above facts and submissions, the Respondent submitted that this forum may please consider to:

- Dismiss the appeal filed by the Appellant and uphold the CGRF Order dated 10.07.2025, confirming the Department's right to recover Rs. 1,26,81,148/- towards correction of non-application of the multiplying factor;
- Allow the Department to recover Rs. 11,28,889/- raised under Section 126 of the Electricity Act, 2003, since the jurisdiction to determine such assessments vests with the State Electrical Inspector and not the CGRF.

C. Proceedings and hearing:

The notice for E-hearing for 15.09.2025 was sent through Email dated 15.09.2025. The Respondent Executive Engineer Div. XI, Electricity Department vide his letter No EE/Div-XI/Tech-110/3493/2025-26 dated 22.08.2025 had informed that they had initiated action to settle the matter through mutual agreement. In their meeting both the parties have agreed to settle the matter amicably subject to the approval of Chief Electrical Engineer, Electricity Department Goa. Accordingly, both the parties requested for an adjournment for Two weeks as it will take around Two Weeks to get the approval.

Vide Email dated 15.09.2025 the Respondent Executive Engineer requested for another Two weeks to get the matter settled. The request allowed vide Email dated 16.09.2025.

Thereafter, Ld. Adv. Mr. Coelho Pareira appeared for the Appellant Mr. Mario Valadares on 17th September 2025 and submitted that the approval from CEE, Goa is still awaited and they expect the approval within next 10 days. Accordingly, the hearing was fixed up for 26th September 2025.

On 26thSeptember 2025, the Respondent Executive Engineer informed that he has not received the approval from CEE, Goa and now he is ready to plead the case.

Ld. Adv. Mr. Vledson Bragenza appearing on behalf of Appellant has submitted that he is ready to pay for the energy charges on account of MF correction and assessment on account of One Y phase CT not functioning but he objected to the levy of DPC charges. The Respondent submitted that they have submitted for waiver of DPC charges in accordance with the meeting held for mutual agreement in the office of Executive Engineer, Div-11, Electricity Department Goa.

The Appellant's representative submitted that the department has no data for CT potential missing as such they have preferred assessment according to section 126 of IE Act 2003 for the period 14.05.2015 to 08.06.2017.

D. Findings and Analysis

Based on the submissions and arguments advanced by both parties during the hearing, the following two issues arise for consideration:

I. Whether the Department acted lawfully in claiming ₹44,13,108/- towards unbilled energy on account of the erroneous application of the Multiplying Factor (MF) retrospectively from 02.12.2005; and

II. Whether the Department acted lawfully in raising a demand of ₹11,28,889/- towards one-third of the consumption recorded for the period from 14.05.2015 to 08.06.2017, attributing the discrepancy to malfunctioning of the Y-Phase CT.

Before examining these issues, it is necessary to refer to the relevant judicial pronouncements of the Hon'ble High Courts and the Hon'ble Supreme Court of India that bear on the questions involved.

In the matter of M/s Gokul Steels Private Limited Vs The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, in the High Court of Judicature at Patna in Civil Writ Jurisdiction Case No.9742 Of 2020, the Hon'ble High Court held that:

"13. From the aforesaid, it is clear that the petitioner never raised any dispute when the new metering unit, with multiplying factor of 02 was installed on 24.08.2015, which was clearly spelt out in the report of such installation, and the same continued till the supplementary demand was raised. Once the new metering unit was accepted by the petitioner without dispute, coupled with the fact that the installation report of the metering unit of 24.08.2015 clearly indicated such multiplying factor of 02, which was also signed by the petitioner's representative, if, for any reason, the multiplying factor had not been correctly given effect to by the respondents while raising the demand, the same would not per se enable the petitioner not to pay such charges. The simple reason of a mere error/omission on the part of the respondents in making the correct calculation would not amount to any real dispute, as the unit(s) reflected in the meter is/are not being changed and, quite importantly, even the petitioner has not raised any dispute with regard to the recording(s)/reading(s) of the new metering unit having a multiplying factor of 02. Thus, if the requirement is that for any reading in a metering unit classified as M.F. 02, the units recorded have

to be multiplied with 02 while raising a demand, rectification of an error, if any, in such exercise is merely clerical. The respondents cannot be shut off from raising a supplementary demand, which even otherwise, is in accordance with law, and at the same time would not preclude or prevent them from raising supplementary demand and recovering the huge arrears and would also not create any indefeasible right in the petitioner to absolve himself from payment of the same.

14. Thus, in the considered opinion of the Court, the dispute being raised before the Court has absolutely no merits as far as the main issue is concerned which, at the cost of repetition, can be simply said to be an error in applying the formula to be used while raising the actual demand based on reading rendered by a metering unit classified as M.F. 02, such classification of the new multiplying factor of 02 having been in the petitioner's knowledge since 24.08.2015. The petitioner has not been able to demonstrate before the Court any provision where even for M.F. 02 metering unit, there cannot be a multiplying factor of 02 and the same has to necessarily be 01.

Merely because for five years there has been an oversight on the part of the respondents, that too, as learned counsel for the respondents has himself submitted, may indicate some collusion at the level of employees of the respondents also, for which steps are being taken to fix responsibility, cannot be stretched to the extent that it shall prevent the respondents from realizing an amount which was, otherwise, in law, due to them and which the petitioner was liable to pay."

In Mahabir Kishore and Ors. v. State of Madhya Pradesh, the Hon'ble Court held that :–

"Section 17(1)(c) of the Limitation Act, 1963, provides that in the case of a suit for relief on the ground of mistake, the period of limitation does not begin to run until the plaintiff had discovered the mistake or could with reasonable diligence, have discovered it. In a case where payment has been made under a mistake of law as contrasted with a mistake of fact, generally the mistake become known to the party only when a court makes a declaration as to the invalidity of the law. Though a party could, with reasonable diligence, discover a mistake of fact even before a court

makes a pronouncement, it is seldom that a person can, even with reasonable diligence, discover a mistake of law before a judgment adjudging the validity of the law."

IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION CIVIL APPEAL NO.1672 OF 2020 (Arising out of SLP (Civil) No. 5190 of 2019) Assistant Engineer (D1), Ajmer Vidyut Vitran Nigam Limited & Anr. versus Rahamatullah Khan alias Rahamjulla WITH C.A.NO.1673/2020 @ SLP©NO.4721/2020 @ D.NO.33892/2018

"Section 56(2) however, does not preclude the licensee company from raising a supplementary demand after the expiry of the limitation period of two years. It only restricts the right of the licensee to disconnect electricity supply due to non-payment of dues after the period of limitation of two years has expired, nor does it restrict other modes of recovery, which may be initiated by the licensee company for recovery of a supplementary demand.

Applying the aforesaid ratio to the facts of the present case, the licensee company raised an additional demand on 18.03.2014 for the period July, 2009 to September, 2011. The licensee company discovered the mistake of billing under the wrong Tariff Code on 18.03.2014. The limitation period of two years under Section 56(2) had by then already expired. Section 56(2) did not preclude the licensee company from raising an additional or supplementary demand after the expiry of the limitation period under Section 56(2) in the case of a mistake or bona fide error. It did not however, empower the licensee company to take recourse to the coercive measure of disconnection of electricity supply, for recovery of the additional demand."

The Low Tension (LT) Agreement executed between the Department and the Applicant at the time of applying for and releasing the electricity connection contains ten clauses. Clauses 13(1) (a) and 13(1)(b) did not form part of the Applicant's LT Agreement at that time. Subsequently, the Department of Power, through the Gazette Notification titled *"Department of Power, Office of the Chief Electrical Engineer – Notification No. 150/01/CEE/Tech: Condition of Supply of Electrical Energy,"* introduced Clauses 12, 13, and 14. The relevant provisions of these clauses are reproduced below for reference.

13. SAVINGS AS TO CLERICAL ERROR.

(a) In the event of any clerical errors or mistakes in the amount levied, demanded or charged by the Supplier then in the case of undercharging, the Supplier shall have a right to demand an additional amount and in the case of overcharging the consumer shall have the right to get refund of the excess amount provided at that time such claims were not barred by limitation under the Act.

(b) The parties hereby further agree that the amount claimed in the bill shall be payable within the time allowed, irrespective of any decision to be taken regarding any disputes about its correctness or otherwise of the amount levied demanded charged by the Supplier. The Supplier shall have a right to proceed in accordance with the Act, on the basis of the amount claimed in the bills, till it is proved or established that the amount claimed was in excess of what was actually due. The consumer shall not on the plea of incorrectness of the bills withhold any portion of the bills.

14. GENERAL—

(a) The other conditions of supply in this agreement are also subject to any revision that may be decided by the Supplier as per the directions of the Commission from time to time.

The connection under reference was energized on 02.12.2005 with installation of Meter No. 4717038. While recording the initial meter parameters, the Department appears to have entered the multiplying factor (MF) as "1" instead of "20." The Meter remained in service until 29.06.2017, when the MRT team tested and replaced the meter. The MRT team submitted its report dated 29.06.2017. The MRT report confirmed Three key findings:

(I) The correct multiplying factor of Meter No. 4717038 is 20, not 1, as recorded earlier.

(II) The Y-Phase CT was not delivering current to the meter, due to which the meter failed to record energy consumption on one phase (Y Phase).

(III) When the meter was tested on 29.06.2017 by the MRT team, they had not downloaded the historical data. The downloaded data could have given the details since when the CCCT

Potential and current is missing so that assessment can be made from the date when CT potential actually missing till 29.06.2017. Even after removing the meter on 29.06.2017 no effort was made by the department o extract the data from the meter.

The supply licensee's right to retrospectively claim unbilled amounts under Section 56(2) of the Electricity Act, 2003, stands conclusively settled by the Hon'ble Supreme Court in Prem Cottex v. Uttar Haryana Bijli Vitran Nigam Ltd. (2021) 20 SCC 200.

The Apex Court held that Section 56(2) bars a licensee from recovering or disconnecting supply for any amount after two years from the date when the amount first becomes due. The Court clarified that "first due" refers to the date on which the licensee issues the bill, not the date of electricity consumption. While liability arises upon consumption, the obligation to pay arises only when the licensee raises the bill. Accordingly, electricity charges become "first due" only upon issuance of the bill. The limitation period of two years, therefore, begins from the date of bill issuance, not the date of consumption.

In this case, the Department issued a bill dated 07.09.2017 for ₹ 44,13,108/- along with its letter No. SDE-II/VSG/Tech-38/319/17-18 of the same date addressed to the consumer. The Department has continuously pursued recovery of this amount and has even approached the Hon'ble High Court for enforcement. Based on the legal position laid down in Prem Cottex, the limitation period commenced on 07.09.2017, the date of bill issuance. Since the Department initiated recovery within the two-year period, its claim does not attract the statutory bar of limitation under Section 56(2). The Department's recovery action, therefore, remains legally sustainable.

The Department rightly revised the bill by applying the correct MF of 20 in place of MF-1. However, the Department erred in applying MF-20 for the entire period from 02.12.2005 (installation date) to 29.06.2017 when the MRT team detected that the actual MF was 20 instead of this the Electricity Department assessed for the period 02.12.2005 to 08.06.2017 (date of last billing). The correct assessment period should extend only up to 26.06.2017. The MRT report recorded the meter reading as 37,570 on 29.06.2017. Accordingly, MF-20 should apply from the initial reading of 1 up to 37,570 as on 29.06.2017. After replacement of the meter on 29.06.2017, no issue regarding MF discrepancy arises.

As per established practice, when a bill is revised on legitimate grounds, the consumer is not liable to pay delayed payment charges for the defective period as the onus to provide correct energy consumption charges bill always lies with the Licensee distribution company. In this case, the Department has charged less for a period of 21 days, which appears to have resulted from such billing adjustment.

The Department also raised a demand of ₹11,28,889/- for the period from 14.05.2015 to 08.06.2017 (Two years), citing malfunction of the Y-Phase CT and invoking Section 126 of the Electricity Act, 2003, based on the directions of the Learned CGRF, Goa.

Regulation 36(g) of the JERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2024, provides that the Ombudsman shall not entertain any representation falling under Sections 126, 127, 135 to 139, 152, and 161 of the Electricity Act, 2003. Hence, any action under Section 126 initiated on the recommendation of the CGRF lacks legal sustainability.

Moreover, the Department has not produced any document to substantiate initiation of proceedings under Section 126.

Section 126 requires that an authorized assessing officer must conduct an inspection, prepare a report, issue a provisional assessment, and pass a final speaking order after hearing the consumer. None of these procedural steps have been demonstrated in this case.

The record shows:

1. No inspection by an authorized officer of the Department and no inspection report under Section 126. The MRT testing report alone cannot be treated as an inspection report under this provision.
2. No speaking order by the designated assessing officer.
3. No evidence of unauthorized use of electricity (UUE) as defined under Section 126.
4. No legal basis or regulation cited to justify assessment for the two-year period (14.05.2015 to 08.06.2017).

When one CT phase in a three-phase meter does not function and there is no evidence of tampering or unauthorized use, the case must be treated as a defective meter, not UUE.

Under Section 50 of the Electricity Act, 2003, and Regulation 7.12 of the JERC Electricity Supply Code, 2018, billing for defective meters must be based on the higher of

(a) The monthly consumption for the corresponding month of the previous year, or

(b) the average monthly consumption for the immediately preceding three months. Such billing is limited to a maximum period of three months, within which the licensee must replace the defective meter.

Decision:

Decision

In view of the findings and analysis-discussed hereinabove, the appeal filed by the Appellant is allowed to the extent indicated below.

The order passed by the Learned Consumer Grievance Redressal Forum, Goa, in Complaint No. CG No.14/2025/17 in Complaint/Representation No. 36/2017 is partly upheld to the extent it relates to the correctness of the multiplying factor. The remaining portion of the said order, relating to assessment under Section 126 of the Electricity Act, 2003, is set aside.

The Electricity Department shall revise the bill of the Appellant in accordance with the following directions:

a) The correct multiplying factor of 20 shall be applied for the period from 02.12.2005 (date of initial installation of Meter No. 4717038) up to 29.06.2017, corresponding to the recorded reading of 37,570 units.

b) The earlier demand raised for the period 02.12.2005 to 08.06.2017 shall be withdrawn.

c) The Department shall treat the said meter as defective on account of the non-functioning of the Y-Phase CT and shall reassess the energy consumption strictly in accordance with the provisions of Regulation 7.12 of the JERC Electricity Supply Code, 2018.

d) All payments made by the Appellant during the period 2.12.2005 to 29.06.2017 shall be adjusted as per the prevailing rules.

e) The revised bill shall be issued to the consumer within two weeks from the date of receipt of this order, preferably through email and physical delivery.

f) Since the bills are being revised on the current date, no Delayed Payment Charges (DPC) shall be levied for the period under reassessment.

g) The Appellant shall be permitted to clear the revised demand in 30 (thirty) equal monthly instalments along with the current consumption charges.

h) The Electricity Department shall prepare a payment schedule for the assessed amount in 30 instalments and communicate the same to the Appellant along with the revised bill.

i) In the event of default in payment of any instalment along with current consumption charges, the Department shall be at liberty to levy DPC or interest at the prevailing rate on the unpaid amount.

j) The Department shall submit a compliance report to this office within 30 days from the date of issue of this order.

k) A certified copy of this order shall be sent to the Appellant and to the Respondent Department for information and strict compliance.

l) With these directions, the appeal stands disposed of.

30/10/25

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

Dated: 30.10.2025