

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
Phone No.:0124-4684708

Appeal No-251 of 2025

Date of Video Conferencing: 28.11.2025

Date of Order:18.12.2025

In the matter of

Smt. Bertalinha C. Novaes E. Lourenco,

R/o House No. 610, Cujira Oilem Bhat,

Santa Cruz, Goa-403005.

Appellant

Versus

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

Respondent(s)

ORDER

This representation was filed on 03.11.2025, 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 14.10.2025 in case No. CG No. 20/2025/114 passed by the Ld. Consumer Grievance Redressal Forum (CGRF), Goa.

After a thorough examination of the complaint and following due process, the admission notice was issued on 04.11.2025. A copy of the complaint was forwarded to the Respondent, Executive Engineer, Executive Engineer, Div-I, Electricity Department, Panaji, Goa directing him to file a reply to the appeal filed by the Appellant Smt. Bertalinha C. Novaes E. Lourenco, vide this office letter dated 04.11.2025.

In reference to the Admission Notice, dated 04.11.2025 the Respondent Executive Engineer sent a letter to the Appellant requesting her to attend a meeting to work out the amicable resolution of the complaint filed with the office of Ombudsman JERC. Since no amicable solution could be worked out both the parties decided to move on with the proceedings in this case before the Ombudsman JERC.

The Respondents filed their reply/comments vide letter No. EE/DIV-I/O&M/Tech 89/2025-26/4972 dated 17.11.2025.

A. SUBMISSIONS BY THE APPELLANT

The Appellant, Smt. Bertalinha C. Novaes E. Lourenco, resident of House No. 610, Cujira Oilem Bhat, Santa Cruz, Goa-403005, represented by Ms. Helen Lourenco, submitted that she has filed the present appeal under Regulation 17 of the CGRF and Electricity Ombudsman Regulations, 2020, challenging the Order dated



14.10.2025 passed by the Learned Consumer Grievances Redressal Forum (CGRF), Goa, in C.G. No. 20/2025.

The Appellant states that she is the mother of Late Vira/Veera Lourenco, who held CA No. 60000686398 with Meter No. A34354 at Flat No. 3, First Floor, Building No. 6, St. Francis Colony, Greenfield, Cabesa, St. Cruz. Her daughter passed away on 28.12.2019 after prolonged hospitalization since October 2019, and the premises had remained vacant since that period. The Appellant continued to receive provisional bills that consistently reflected nominal consumption, including the bill dated 19.01.2024 that showed consumption of only 3 (Three) units.

The Appellant submits that the Respondents suddenly issued Bill No. 10048409685 dated 20.02.2024-demanding Rs. 47,877/- based on an alleged consumption of 12,217 units, which represented an unexplained increase of over 400,000% within a single month for premises that remained vacant. She filed a complaint before the Ld. CGRF, Goa in August 2025 and sought cancellation of the illegal bill, correction of billing, and award of compensation. During the pendency of the complaint, the Department generated an MRT report dated 15.09.2025 confirming "RTC Fail," which established a meter malfunction. The Department thereafter issued a revised bill dated 26.09.2025 for Rs. 10,258/-, covering an expanded period from 27.11.2021 to 19.09.2025. The Appellant objected to this revised bill through her letter dated 29.09.2025 because averaging cannot apply to vacant premises and because minimum billing alone applies to cases involving vacancy coupled with meter failure.

The Appellant asserts her complete locus-standi. She has managed all electricity-related matters for the premises since her daughter's death and has received, paid, and disputed bills on regular basis. The Respondents acknowledged her status by addressing bills to her, responding to her communications, and participating in proceedings based on her representations. She also authorized her daughter, Ms. Helen Lourenco, to represent her due to her old age and health conditions.



The Appellant challenges the Forum's finding that the complaint stood "substantially redressed." She submits that the Department did not cure any grievance when it issued a revised bill that relied on averages derived from the same defective meter. She states that the Forum failed to examine the legality, correctness, or methodology of the revised bill and ignored her objections against it. She submits that the Forum treated the act of issuing another bill as sufficient redressal and did not consider whether the revised bill complied with the Electricity Supply Code, 2018.

The Appellant submits that the Forum ignored the mandatory provisions of the Electricity Supply Code, 2018, especially Regulation 13, which governs billing for defective meters. She states that once the MRT report confirmed "RTC Fail," all readings from that meter lost reliability, and the Department could not compute average consumption from unreliable data. She submits that minimum billing alone applies to vacant premises with a defective meter.

The Appellant further submits that she placed overwhelming evidence of vacancy before the Forum, including records of her daughter's death, hospitalization documents, consistent nominal billing until January 2024, and the Department's own inspection report dated 21.11.2024 showing the main switch in OFF position with burnt fuses and no evidence of occupancy or tampering. She states that the Forum neither recorded a finding on vacancy nor evaluated this evidence.

The Appellant submits that the revised bill suffers from serious legal and factual defects. She states that the Department unlawfully expanded the billing period from the original disputed period ending 23.01.2024 to an extended period ending 19.09.2025. She further submits that the Department billed for nearly twenty months beyond the period of dispute and even billed for a period after disconnection on 21.11.2024. She asserts that the revised bill carries no explanation of methodology and includes consumption charges that cannot arise in a vacant premise with disconnected power supply.



The Appellant submits that the revised bill continues to rely on averages created from readings of the same meter that the MRT report declared defective. She asserts that the Forum itself held that the MRT report "demolished the foundational assumption in the Department's case," and yet the Forum failed to follow this finding to its logical conclusion. She states that the Forum should have cancelled all bills based on the failed meter instead of accepting the revised bill.

The Appellant submits that the Department's pattern of negligence caused significant hardship, including prolonged provisional billing, missing records, failure to act on clear signs of vacancy, and repeated issuance of incorrect bills. She states that the Forum ignored her request for compensation and did not consider the inconvenience and distress caused to an 80-year-old widow who repeatedly sought rectification of blatantly incorrect bills.

The Appellant further submits that the Forum's direction requiring payment of the revised bill as a condition for reconnection places her in a coercive position. She asserts that she cannot secure reconnection unless she pays an amount that she does not legally owe. She submits that the proper direction should have required the Department to compute minimum billing for the period up to disconnection and restore supply upon payment of that minimum amount.

The Appellant submits that the correct legal position requires cancellation of all bills based on the defective meter and issuance of a fresh bill on minimum billing basis for the period from 27.11.2021 to 21.11.2024. She states that she remains willing to pay minimum charges but cannot accept any bill derived from readings of a failed meter. She submits that the Forum ignored defects in the revised bill dated 27.09.2025, such as the unexplained extension of the billing period, improper averaging, lack of methodology disclosure, and inclusion of consumption charges for a vacant and disconnected premises.

The Appellant submits that the impugned Order causes severe prejudice because she now faces a choice between paying an incorrect bill or remaining without



electricity. She states that the Order denies her compensation for the harassment and inconvenience that the Department caused over several years. She further submits that the Order creates a harmful precedent that allows distribution licensees to avoid accountability by issuing revised bills without ensuring correctness or compliance with statutory provisions.

The Appellant therefore prays for setting aside the impugned Order, cancellation of the original and revised bills, issuance of fresh bills on minimum billing basis, reconnection upon payment of minimum charges, and award of compensation and costs.

Submissions by the Respondents

The Respondents submit that no allegation in the Appeal shall ever be deemed admitted in the absence of specific denial. The Respondents state that the grievance raised by the Appellant arises from the revised bill issued after the Meter Relay Testing (MRT) of the energy meter. The Respondents note that the Appellant disputes the period and the average consumption considered during the revision of the bill and further seeks application of minimum charges on the ground of non-occupancy, relying on the Supply Code, 2018, since the MRT declared the meter defective.

The Respondents state that, in accordance with Paragraph 3 of the admission notice, they requested the authorized representative of the Appellant to visit the Office on any working day to discuss the matter and explore the possibility of an amicable settlement. The Respondents issued this communication vide Letter No. EE/Div.I/O&M/Tech-89/2025-26/4794 dated 11.11.2025, which stands placed on record as Annexure "A". Pursuant to this communication, the Respondents convened a meeting in the Office of Respondent No. 2 on 11.11.2025. The parties deliberated on the revised bill at length during this meeting; however, the discussion did not result in any consensus. The handwritten and typed minutes of the meeting form Annexure "B".



The Respondents submit that they filed the present reply because the Appellant did not accept the points explained during the meeting. The Respondents reiterate that, as directed by the Hon'ble CGRF, the MRT Unit of the Department conducted a meter test for the connection issued in the name of the late daughter of the Appellant. The authorised representative of the Appellant remained present during the testing. The MRT report recorded that the consumption measured by the energy meter remained within permissible limits. The report further indicated failure of the Real Time Clock (RTC). The Respondents have annexed the MRT Test Report as Annexure "C".

The Respondents clarify that the failure of the RTC affects only the ability to determine the exact date and time of recorded consumption and does not affect the accuracy of the meter in measuring units consumed. In such circumstances, the responsibility of the Department remains limited to allocating the total recorded consumption across the billing period during which provisional billing was undertaken, thereby ensuring the correct application of tariff slabs. The Respondents emphasize that, despite these findings, they acted empathetically considering the advanced age of the Appellant and recalculated the bill strictly in accordance with Clause 7.12 of the Supply Code, 2018.

Clause 7.12 mandates billing on the basis of the higher of the consumption of the corresponding month in the previous year or the average consumption of the preceding three months, for a maximum of three months, in cases involving defective, stuck, stopped, or burnt meters. The Respondents state that only one block of actual consumption for three consecutive months existed for the period 22.10.2019 to 20.01.2020. The Respondents therefore applied this data to compute the average consumption and recalculated the bill for 1392 days from 27.11.2019 to 19.09.2025, after granting due credit for payments already made. The Respondents have annexed the detailed calculation sheet conveyed to the Appellant as Annexure "D".

The Respondents further submit that the Appellant did not inform the Department of non-occupancy until 24.07.2024. The Respondents therefore reject the Appellant's claim for minimum billing, which stands barred by limitation and contradicted by the recorded consumption as verified during MRT testing. The Respondents maintain that they acted proactively and sympathetically at every stage, and any further relaxation will impose unwarranted financial burden on the Department.

The Respondents assert that the submissions set out herein provide sufficient grounds to reject the Appeal. The Respondents therefore request the Hon'ble Ombudsman to dismiss the Appeal and to direct the Appellant to clear all outstanding dues without delay.

Counter-Submissions by the Appellant

The Appellant submits that the Respondents have not addressed the core grievance arising from the erroneous revision of the bill. The Appellant reiterates that the MRT declared the meter defective due to RTC failure and therefore the Respondents cannot treat the recorded consumption as reliable for the entire period of provisional billing. The Appellant asserts that the defect rendered the consumption unverifiable for the period under dispute, and the Respondents cannot distribute the recorded units arbitrarily across several years.

The Appellant states that the Respondents incorrectly interpret Clause 7.12 of the Supply Code, 2018. The Appellant contends that the clause applies strictly to cases involving defective meters and mandates billing only for a period of three months based on the higher of the corresponding month of the previous year or the average consumption of the preceding three months. The Appellant therefore maintains that the Respondents cannot extend the average-based billing for more than the prescribed three-month period and cannot create a retrospective liability spanning 1392 days.



The Appellant further submits that the Respondents ignored the fact that the premises remained unoccupied for several years. The Appellant reiterates that she brought the issue of non-occupancy to the attention of the Department and acted in good faith. The Appellant maintains that the Respondents continued to issue provisional bills despite knowing that the meter was defective and that no consumption beyond the minimum charges could occur during prolonged non-occupancy. The Appellant asserts that the Respondents cannot now rely on provisional billing as a ground to create an excessive and disproportionate liability.

The Appellant also submits that the Respondents did not evaluate the MRT results holistically. The Appellant contends that RTC failure creates uncertainty regarding the time stamp and profile of consumption, thereby depriving the Respondents of the ability to determine whether the units allegedly recorded correspond to the period for which the Respondents now raise liability. The Appellant submits that the Respondents cannot selectively rely on portions of the MRT Report while disregarding the uncertainty created by the RTC defect.

The Appellant states that the Department failed to act with diligence and failed to replace the defective meter within the prescribed period. The Appellant asserts that this failure directly caused the accumulation of provisional bills and artificially inflated liability. The Appellant maintains that the consumer cannot suffer because the Department failed to comply with its statutory duty under the Supply Code to replace a defective meter within three months.

The Appellant concludes that the revised bill lacks legal foundation, violates Clause 7.12 of the Supply Code, and imposes an unjustifiable burden on a vulnerable consumer. The Appellant therefore requests the Hon'ble Ombudsman to set aside the revised bill and direct the Respondents to rework the charges strictly in accordance with the Supply Code, by applying minimum billing for the admitted period of non-occupancy and restricting average-based billing to the maximum period permitted under the Regulations

Proceedings and Hearing

The Hearing in the matter held on 28.11.2025 was attended by the AR of Appellant and on behalf of Respondent Mr Prasad Prabhu Assistant Engineer was present.

The electricity connection bearing CA No. 60000686398 stands registered in the name of Late Ms. Vira/Veera Lourenco at Flat No. 3, First Floor, Building No. 6, St. Francis Colony, Greenfield, Cabesa, Santa Cruz, Goa. The Authorized Representative of the Appellant submitted that Ms. Vira/Veera remained hospitalized from October 2019 until her death on 28.12.2019 and that the premises have remained vacant thereafter. The Electricity Department issued provisional bills up to January 2024 and thereafter issued Bill No. 10048409685 in February 2024 raising a demand of ₹47,877/- for 12,217 units. Aggrieved by the said demand, the Appellant approached the Consumer Grievances Redressal Forum (CGRF), Goa in August 2025.

During the pendency of the proceedings before the CGRF, the MRT Division tested the meter, reported an RTC failure, and declared the meter defective. Based on the MRT report, the Electricity Department revised the bill on 26.09.2025 to ₹10,258/-, assessing the defective period from 27.11.2019 to 19.09.2025. The CGRF passed its order dated 14.10.2025 in Case No. CG 20/2025. Being dissatisfied with the said order, the Appellant has preferred the present Appeal before the Electricity Ombudsman.

The hearing in the present Appeal was conducted through video conferencing. The Authorized Representative of the Appellant reiterated that the premises have remained vacant since 2019 and objected to the assessment for 1392 days, particularly in view of the joint inspection conducted on 21.11.2024, wherein the main switch was found in the 'off' position and the fuses were reported to be burnt. The Respondent Electricity Department submitted that it acted in compliance with the MRT report and the directions of the CGRF and that the revised assessment was carried out strictly in accordance with Regulation 7.12 of the JERC Electricity Supply Code, 2018. Accordingly, it was directed to the Respondent to physically test the



meter by connecting it to a live power supply, applying a load on the meter output, and checking whether the meter records one unit of consumption. It was also directed to record the complete testing process through photographs and video and submit the testing record on or before 05 December 2025.

Findings and Analysis

I examined the submissions of the Appellant and the Respondent, the Meter Test Report dated 15.09.2025, the meter download data, the billing history, the joint inspection report, and all documents placed on record. I also considered the statements made during the hearing.

The meter bearing No. A34354 installed against CA No. 60000686398 at Flat No. 3, First Floor, Building No. 6, St. Francis Colony, Greenfield, Cabesa, Santa Cruz, Goa was tested by the Assistant Engineer, Sub-Division II, MRT Division, Corlim vide Report No. 11/1/AE-II (MRT)/2025-26/200 dated 15.09.2025. The testing took place in the presence of Ms. Helen Lourenco, the authorised representative of the Appellant.

The meter download data shows a static reading of 12512 kWh for the period 12.06.2024 to 05.07.2024, indicating no recorded consumption for 24 days. During the dial test at 100% IB UPF, the meter recorded an increase from 12512.575 kWh to 12512.974 kWh, amounting to 0.4003 kWh. During the dial test at 100% IB at 0.5 Lag, the meter recorded readings from 12512.974 kWh to 12513.174 kWh, showing 0.2001 kWh. Overall, the meter recorded an incremental consumption of 0.6004 kWh during the tests. These results confirm that the meter continued to record energy accurately.

The meter test report also shows an "RTC Fail." I examined the implications of an RTC failure. The meter continues to record energy consumption correctly because the energy measurement circuit operates independently of the RTC. The RTC affects only time-dependent functions such as TOD billing, MDI timestamping, load survey logging, and event logging. For domestic consumers in Goa, TOD billing does not



apply. The MDI recorded is only 1.280 kW against the sanctioned load of 2.44 kW, which does not affect billing. Load survey and event logging are analytical tools and do not affect computation of the bill. Therefore, although the RTC failure affects regulatory compliance, it does not impair the meter's ability to measure energy or materially impact billing for this category of consumer. I therefore hold that the meter cannot be treated as "defective" for the purpose of invoking Regulation 7.12 of the JERC Electricity Supply Code.

I also examined the consumption pattern over the disputed period. The readings reflect negligible or static consumption, which indicates that the supply remained unused for prolonged periods. The Respondent and the Appellant jointly inspected the premises, where they found the main switch in OFF position and in burnt condition on 21.11.2024. The inspection team also recorded that the supply remained disconnected from that date. This supports the conclusion that the absence of consumption resulted from non-usage of the supply and not from any defect in the meter.

I also note that the O&M staff did not raise any exception regarding static readings or non-consumption over extended periods. Their failure to investigate the long-standing static consumption does not create a basis for treating the meter as defective, especially when the meter test conclusively shows that it continued to record energy correctly.

The Respondent recommended back-billing for the period 27.11.2021 to 19.09.2025 (1392 days) under Regulation 7.12. I find no legal basis to accept this recommendation because the meter remained functional in its core energy-recording function. The statutory conditions required to invoke Regulation 7.12 do not exist in this case. Therefore, any assessment for "defective meter billing" for the above period stands disallowed.

I examined the billing record from 27.11.2021 to 21.05.2025. Since the supply remained unused for long intervals, only fixed charges are liable under the



applicable tariff. I therefore hold that the correct billing methodology is to charge only fixed charges for the period from 27.11.2021 to 21.05.2024 (i.e., 21.11.2024 plus six months as per norms). All demands raised thereafter require withdrawal. The Respondent must verify the actual payments already made by the Appellant for this period and must issue a revised bill after giving due credit for payments received.

Upon the Appellant's payment of the revised demand and submission of the required documents, the Respondent must restore electricity supply in the name of the Appellant.

During the hearing dated 28.11.2025, It was directed to the Respondent Electricity Department to physically test Meter No. A34354-E installed against CA No. 60000686398 by connecting it to a live power supply and applying load at the meter output. The Department shall conduct the test for a minimum duration sufficient to record one unit of consumption. The Department shall photograph and video-record the entire testing process and shall place the complete testing report on record. Accordingly Assistant Engineer (O&M) vide its letter No AE/SD-III/BML/Tech-4(B-I)/25-26/1555 dated 01/12/2025 sent the meter No A34354 to MRT lab for physical testing at Reading 12513kwh.

The Executive Engineer in his additional submissions vide letter No EE/ Div-I/O&M/Tech 89/2025-26/5310 dated 05/12/2025 submitted that pursuant to the directions issued during the hearing held on 28 November 2025, the Respondent forwarded the energy meter number A34354 installed against CA No. 60000686398 to the MRT Division on 01 December 2025 for re-testing. The Respondent informed both the Appellant and this Authority of the said action. The Respondent placed on record the relevant correspondence, which forms part of Annexure 'A 1'.

The MRT Division conducted the re-testing of the meter on 04 December 2025. During the test, the laboratory ran the meter for a recorded consumption of 4 kWh.



The MRT Division found the accuracy of the meter to be within the permissible limits prescribed under the applicable standards.

In compliance with the specific directions of this Authority, the Respondent photographed the meter, the testing setup, and the testing parameters before and after the test. The Respondent submitted the photographic record and the MRT test report, which form part of Annexures 'B 1 Colly', 'C 1 Colly' and 'D 1 Colly' respectively.

The Respondent submitted that notwithstanding the findings of the re-testing, the Department revised the bill for the entire period of provisional billing by applying Clause 7.12 of the JERC Electricity Supply Code, 2018, while considering the advanced age of the Appellant. The Respondent stated that the Department issued the revised bill on this basis as a measure of equity and administrative prudence.

The Respondent further contended that Clause 7.12 limits the Department's liability to redistribution of recorded consumption over the provisional billing period for the purpose of applying appropriate tariff slabs. The Respondent asserted that the Department exceeded this limited obligation by revising the bill for the entire provisional period. Any redistribution under Clause 7.12 must satisfy the broader regulatory standard of fairness, reasonableness, and technical credibility implicit in tariff application.

The Respondent also contended that the Appellant did not intimate the Department either about the non-occupancy of the premises or about the demise of the registered consumer. According to the Respondent, this omission contributed to continuation of provisional billing.

The Respondent finally asserted that grant of any further relief would impose unwarranted financial burden on the Department and contended that the Appeal lacks merit.



I have carefully examined the Respondent's submissions, the MRT test report, the photographic record, and the material available on record. While the re-testing conducted on 04 December 2025 confirms that the meter records energy within permissible accuracy limits under controlled laboratory conditions, this finding alone does not conclusively determine the legality of the impugned billing for the disputed period.

The core issue before this Authority does not relate merely to the present operational accuracy of the meter but concerns the validity of billing raised during a prolonged period of provisional assessment when the MRT report had earlier confirmed an RTC failure. An RTC failure affects the meter's ability to correctly time-stamp consumption and undermines the reliability of historical consumption data used for billing over extended periods. The subsequent confirmation of metering accuracy in a controlled test environment does not retrospectively cure the uncertainty created by the RTC failure during the disputed billing period.

The Respondent's reliance on Clause 7.12 of the JERC Electricity Supply Code, 2018 requires careful scrutiny. Clause 7.12 permits redistribution of recorded consumption over the provisional billing period for tariff alignment. However, the applicability of this provision presupposes the availability of reliable consumption data. Where the MRT itself declares an RTC failure, the Authority must independently examine whether the redistribution of consumption derived from such data meets the standard of fairness and reasonableness mandated under the Supply Code.

The Respondent has asserted that the Department revised the bill as a matter of equity considering the Appellant's age. While administrative empathy is appreciable, statutory compliance cannot rest on discretion or benevolence. The legality of the revised bill must rest on conformity with the Supply Code, not on sympathetic considerations. This Authority must therefore test the revised bill on objective legal standards rather than on intent.



The Respondent has also contended that the Appellant failed to intimate the Department regarding non-occupancy of the premises and the demise of the registered consumer. Even if such intimation did not occur, the Department retains a statutory obligation to ensure accurate billing, particularly when inspection reports, provisional billing patterns, and physical conditions such as burnt fuses and an "off" main switch indicate negligible or no consumption. Consumer omission does not automatically validate billing that lacks technical and factual substantiation.

The assertion that any further relief would impose financial duress on the Department does not by itself, constitute a legally sustainable ground to deny relief. Regulatory adjudication requires balancing consumer protection with licensee interest, but financial implications cannot override statutory safeguards or justify continuation of a billing methodology that does not align with the Supply Code.

In the present case, the record reflects prolonged provisional billing, confirmed RTC failure, inspection findings indicative of non-usage, and subsequent reassessment extending beyond the disconnection date. These factors collectively require a closer examination of the period assessed, the basis adopted for redistribution, and the exclusion or inclusion of post-disconnection charges.

Accordingly, while the MRT re-testing establishes current meter accuracy, it does not, by itself, resolve the dispute relating to historical billing during the period of admitted technical deficiency. This Authority must therefore examine whether the revised bill appropriately reflects minimum charges, normative consumption, or redistribution strictly in accordance with the JERC Electricity Supply Code 2018 and established regulatory principles.

Accordingly, The Issue-Wise Final Findings are as under:



Issue No. 1

Whether the Respondent correctly assessed consumption for the period from 27.11.2019 to 19.09.2025?

I find that the Respondent did not correctly assess consumption for the entire period from 27.11.2019 to 19.09.2025. The inspection conducted on 21.11.2024 recorded the main switch in the "off" position with burnt fuses. The Department disconnected supply on the same date. These facts negate any presumption of consumption beyond the date of disconnection. The Respondent therefore lacked legal authority to levy consumption charges after 21.11.2024.

Issue No. 2

Whether the Respondent correctly applied Clause 7.12 of the JERC Electricity Supply Code, 2018?

I find that the Respondent misapplied Clause 7.12 of the JERC Electricity Supply Code, 2018. Clause 7.12 permits redistribution of reliable recorded consumption over the provisional billing period solely to align tariff slabs. The Respondent relied on historical consumption data generated during a period affected by RTC failure. Such data does not meet the threshold of reliability required for redistribution. Clause 7.12 does not authorize creation of artificial averages when technical defects undermine consumption records.

Issue No. 3

Whether the RTC failure rendered the meter defective for billing purposes?

I find that the MRT report confirming RTC failure rendered the meter defective for billing purposes during the disputed period. The failure of the RTC affected the meter's ability to record consumption with correct time and date. As a result, the sequence and period of consumption cannot be reliably established.



Although later testing showed that the meter recorded energy accurately under test conditions, such testing cannot validate or correct bills already raised during the period when the RTC had failed. When I consider the RTC failure together with the prolonged static readings, absence of load, and subsequent disconnection of supply, I find that the historical meter data does not support back-billing or redistribution of consumption under Clause 7.12 of the Supply Code.

Issue No. 4

Whether the Respondent could lawfully levy consumption charges for vacant and disconnected premises?

I find that the Respondent could not lawfully levy consumption charges for vacant premises, particularly after disconnection on 21.11.2024. The record demonstrates prolonged vacancy, negligible prior consumption, and physical indicators of non-usage. The Supply Code mandates minimum billing in such circumstances. Any levy beyond fixed charges lacks legal basis.

The dispute centers on the legality of billing raised over a prolonged period when the meter suffered from RTC failure and the premises remained vacant. The Respondent relied on Clause 7.12 of the Supply Code to justify redistribution of consumption. However, redistribution presupposes reliable consumption data. RTC failure directly impairs reliability. The Department cannot cure this defect by subsequent laboratory testing, which only establishes present accuracy.

This Authority clarifies that the relief granted does not proceed on the premise that the meter failed to record energy, but on the finding that the methodology adopted for extended redistribution of consumption lacked reliable factual foundation and statutory support under the Supply Code.

The Respondent also extended billing beyond the date of disconnection. This action contravenes settled regulatory principles. Once disconnection occurs, the licensee cannot levy consumption charges.



The Appellant's failure to intimate vacancy or demise of the registered consumer does not absolve the Respondent of its statutory duty to bill accurately and lawfully. Billing must rest on verifiable technical and factual foundations, not on assumptions.

Accordingly, I find the revised bill dated 26.09.2025 legally unsustainable to the extent it levies consumption charges during the defective and post-disconnection period.

Order:

In exercise of powers under the CGRF and Electricity Ombudsman Regulations 2024, I pass the following directions:

1. The order passed by the Consumer Grievances Redressal Forum vide order dated 14.10.2025 stands set aside to the extent indicated herein.
2. The revised bill dated 26.09.2025 stands set aside to the extent it levies consumption charges for the period from 27.11.2019 to 21.11.2024, and for any period thereafter beyond 21.11.2024, being the date of disconnection.
3. The Respondent shall issue a fresh bill on minimum billing basis only, comprising fixed charges, any uncharged recorded consumption if not already billed, and other permissible non-consumption charges, for the period from 27.11.2019 to 21.11.2024, strictly in accordance with the JERC Electricity Supply Code, 2018. This arrangement preserves the Respondent's entitlement to fixed charges while preventing billing based on speculative or unsubstantiated consumption.
4. The Respondent shall not levy any consumption charges for any period subsequent to 21.11.2024.
5. All payments already made by the Appellant shall be duly adjusted against the revised minimum bill.
6. The corrected bill shall be issued within 30 days from the date of this Order.
7. Compliance of this Order shall be submitted within 30 days from the date of receipt of this Order through email.



8. Upon payment of the revised minimum charges, the Respondent shall restore electricity supply within 24 hours, without levying any reconnection charges, if the supply remains disconnected.
9. The Appellant shall complete all commercial formalities for change of name of the electricity connection in accordance with the JERC Electricity Supply Code, 2018, from the date of payment of the revised bill and restoration of power supply.
10. A copy of this Order shall be communicated to both the Appellant and the Respondent for compliance.
11. A copy of this Order shall also be forwarded to the CGRF, Goa, for information.
12. The Appeal stands disposed of in the above terms.


(C M Sharma) 18/12/25

Dated: 18.12.2025

Ombudsman (JERC)