

**BEFORE THE GOA HUMAN RIGHTS COMMISSION**  
**PANAJI – GOA**

**Proceeding No.192/2020**

Mrs. Asha Vijesh Naik,  
House No.649/F, Karaswada,  
Talaolim, Ponda-Goa.

... Complainant

V/s

1) The Secretary,  
Village Panchayat Wadi-Talaolim,  
Ponda, Goa.

2) The Sub Divisional Engineer,  
S.D.-I, Division X,  
Electricity Department,  
Curti, Ponda, Goa.

... Respondents

**INQUIRY REPORT**

(12<sup>th</sup> March, 2024)

The complaint had been filed on 02/09/2020, apprehending disconnection of her electricity connection to the first floor of the house where she is residing with her family.

2. The Commission by Order dated 15/10/2020, had called for the replies of the two Respondents.

3. Respondent No. 1 filed their reply on 19/11/2020 and the Respondent No. 2 filed their reply on 12/11/2020.

4. At the stage of hearing, the Commission heard Ms. Khusbu Kamat Helekar, Secretary, on behalf of the Respondent No. 1 and Mr. Ajay Paranjape, Junior Engineer, on behalf of the Respondent No.2. None remained present for the Complainant.

5. The Commission has gone through the complaint and the reply of the Respondents.

6. In the facts of the present case, the Commission finds that on 25/11/2019, the brother of the Complainant had applied to the Village Panchayat for bifurcating the House No. 649 situated at Wadi, Ponda and allotting a house number in the name of his sister, that is the present Complainant. This was approved by the

...2/-

Panchayat body, who had issued House No.649/F and NOC for electricity connection was given to the present Complainant.

7. Subsequently, on objection of the wife of the brother, the Panchayat resolved to cancel the house number and NOC given to the Complainant.

8. The Commission agrees with the stand of the Respondent No.2 that **‘Electricity supply is a legal right and denial of power supply is a violation of human rights and so also, electricity supply forms a part of Right to Life under Article 21 of the Constitution of India.’**

9. The Respondent No.2 also stated that the electricity connection of the structure cannot be disconnected at the behest of someone.

10. The Commission finds merit in the reply of the Respondent No.2 that the electricity connection given to the house of the Complainant on the first floor of the structure should not be disconnected.

11. The Commission also notes that the brother of the Complainant, Mr. Yejuvendra Ganesh Naik in his Affidavit dated 24/08/2020, has stated that his sister has equal right in the said plot and full right of the first floor constructed by her.

12. Accordingly, the Commission recommends that the Respondents No.1 and 2 desist from disconnecting the electricity connection given to the first floor occupied by the Complainant, as long as she continues payment of the electricity bills.

13. Under Section 18(e) of the Protection of Human Rights Act, 1993, the Commission shall send a copy of the Inquiry Report together with its recommendations to the concerned Government or authority and they shall, within a period of one month or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken, to the Commission.

14. Copy of the Inquiry Report be sent to the Respondents No. 1 and 2, calling for their comments, including the action taken or proposed to be taken within a period of 30 days or on or before 12/04/2024, in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

Date : 12/03/2024

Place : Panaji-Goa.

Sd/-  
(Desmond D'Costa)  
Acting Chairperson/Member  
Goa Human Rights Commission

Sd/-  
(Pramod V. Kamat)  
Member  
Goa Human Rights Commission