

BEFORE THE ELECTRICITY OMBUDSMAN

No.16 C-1, Miller Tank Bed Area (Behind Jain Hospital)
Vasanthanagar, Bengaluru-560052.

Present: S.S Pattanashetti,
Electricity Ombudsman,
Case No. OMB/G/G-327/2019
Dated 03-04-2019

In the matter of

Shri Sharath Kumar Kalasa,
H.No. 1-12-197/60,
Kakathiya Colony, Raichur-584101.

Represented by:

Shri S. Mehboob,
No.13-2-2/195, Arjunappa Colony,
Yeramaras Camp, Raichur-584135. -

Appellant

Vs

- 1) The Assistant Executive Engineer (Electrical),
O & M Rural Sub-Division, GESCOM,
Raichur.
- 2) The Chairman/Members,
Consumer Grievance Redressal Forum,
Raichur District, GESCOM,
Raichur - Respondents

1. This Application/Complaint is filed by Shri Sharath Kumar Kalasa (Appellant/Complainant), under the provisions of clause 21.2 of the KERC (Consumer Grievance Redressal Forum and Ombudsman) Regulations 2004, in Form 'B' challenging the order passed by CGRF, Raichur District bearing No.ಅಅ(ವಿ)ಉಲೆನಿ/ಲೆಅ/ಸಲೆಅ/ಹಿಆಸ/2018-19/6667-75 dated 16-02-2019, before this Authority, by inter-alia seeking relief to provide electricity line i.e. poles, wires etc., early. To provide seniority list of works with details of work completed/in progress.

2. Brief facts, which are relevant to the case as claimed by the Appellant/Complainant, are as follows:
 - a) It is alleged that electricity line has not been provided since 5 months, even though he has paid all necessary amount and furnished required documents.
 - b) It is further alleged that the Respondent-2 herein, has disposed of the complaint vide order No. ಅಅ(ವಿ)ಉಲೆನಿ/ಲೆಅ/ಸಲೆಅ/ಹಿಆಸ/2018-19/6667-75 ದಿನಾಂಕ 16-02-2019, by stating that work will be taken up according to seniority. But seniority list not provided and probable period not mentioned.
3. Both the parties were informed vide this office letter No. OMB/G/G-327/2019/D-1218 dated 12-03-2019, regarding availability of provisions in Sub-Regulation 1 of Regulation 20 of KERC (CGRF & Ombudsman) Regulations, 2004 for settlement through conciliation and mediation and to appear before this Authority on 22-03-2019. However, they have not availed the benefit of the said provision. Due to administrative reason the case was postponed to 03-04-2019.
4. On 03-04-2019 during the course of hearing, I have perused the documents filed by the Appellant/Complainant and it is found that there are certain irregularities and lacuna in the order dated 16-02-2019 passed by the CGRF, and noticed that only chairperson has put his signature and passed the order without the signature of the Members of CGRF. As per KERC (CGRF & Ombudsman) Regulations, 2004, Clause 8.3, all the Members and Chairperson of CGRF conducting the proceeding of hearing have to sign the order passed by it. From a perusal of the CGRF order dated 16-02-2019, it

is observed that 2 (two) members of the CGRF were present during the hearing of the case, but they have not signed the order, as required under Clause 8.3 of the KERC (CGRF & Ombudsman) Regulations, 2004. This is a serious lapse and lacuna in the CGRF order.

5. For the foregoing reasons, I proceed to pass the following orders:

No. OMB/G/G-327/2019/D-

Dated 03-04-2019

O R D E R

The order of CGRF-Raichur District bearing No. ಅಅ(ಎ)ಉಲೆನಿ/ ಲೆಅ/ ಸಲೆಅ/ ಹಿಆಸ/2018-19/6667-75 ದಿನಾಂಕ 16-02-2019, is set aside and the matter is remanded back to CGRF to hold a fresh hearing strictly in accordance with the KERC (CGRF & Ombudsman) Regulations, 2004.

Sd/-

(S.S Pattanashetti)

Electricity Ombudsman.

- 1) Shri Sharath Kumar Kalasa,
H.No. 1-12-197/60,
Kakathiya Colony,
Raichur-584101
- 2) Shri S. Mehboob,
No.13-2-2/195, Arjunappa Colony,
Yeramaras Camp,
Raichur-584135.
- 3) The Assistant Executive Engineer (Electrical),
O & M Rural Sub-Division, GESCOM,
Raichur.

- 4) The Chairman,
Consumer Grievance Redressal Forum,
Raichur District,
Superintending Engineer, GESCOM,
Raichur.
- 5) PS to Hon'ble Chairman, KERC
- 6) PS to Hon'ble Member (M), KERC
- 7) PS to Hon'ble Member (R), KERC
- 8) PS to Secretary, KERC.
- 9) Chairperson of all CGRFs in the State.

