

D-888

BEFORE THE ELECTRICITY OMBUDSMAN

9/2, 6th Floor, Mahalakshmi Chambers, M.G Road, Bangalore – 560 001

Present: B.N.Krishnaiah
Electricity Ombudsman

Case No.OMB/B/G-273/2016

Dated : 25.05.2017

Sri Honnaiah,
S/o late Chikkaiah,
No.86, 7th Cross,
Sunkada katte,
Bengaluru – 560 091.

... Appellant

(Party in person)

And :

1. The Assistant Executive Engineer (EI),
O & M sub-division, BESCO
N-4 sub-division, Peenya,
Bengaluru – 560 058

2. The Chairperson, CGRF,
Bangalore Urban District,
BESCO, West circle,
05, 3rd stage,
Bhimajyothi HBCS Layout,
Next to Chord Road Hospital,
Basaveshwara Nagar,
Bangalore-560079.

... Respondents

(R-1 by Sri Ramesh, AAO, BESCO)

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1. This is an appeal under clause 21.02 of KERC (CGRF & Ombudsman) Regulations, 2004 against the orders passed by CGRF, BESCO, Bangalore Urban District, Bangalore dated 30.06.2016.
 2. Letter dated 20.10.2016 was issued to the Assistant Executive Engineer, Bengaluru calling for comments. The Assistant Executive Engineer, N-4 sub-division has submitted reply vide letter dated 23.03.2017.
 3. Both the parties were informed vide letter dated 14.02.2017 regarding availability of sub-regulation 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004 for settlement by conciliation and mediation.
 4. The appellant in his appeal has stated that –
The N-4 sub-division office has issued the notice. This was challenged before the CGRF contending that (i) back billing cannot be raised for 8 months. The complaint was dismissed by the CGRF. Thereafter the appellant is not aware of the developments. The AEE has issued the notice on 17.09.2016 for which the appellant replied on 27.09.2016. Says that there is no reply to his letter dated 17.09.2006. Again the appellant has represented to the SE on 28.09.2016 for which also there is no reply.
 5. The AEE has submitted his reply for the appeal on 23.3.2017 as follows:
 - (a) The installation bearing PN 21655 with sanctioned load of 3 KW was serviced on 17.1.2006.
 - (b) The meter was faulty from 19.1.2013 and was replaced by another meter on 24.07.2013 and the details are given below :

Particulars of meter	Particulars of the Meter removed	Particulars of the replaced meter
Sl. No. of the meter	237670	41503
Manufacturer	Aquaris	Aquaris
Capacity	5/20 A	2.5/10 A
Initial reading	00	01787
Final reading	3271	--

(c) The internal auditor has conducted a search (ತಪಾಸಣೆ) and has reported that during the period for which the meter was faulty (19.01.2013 to 23.09.2013, there was shortage of demand at Rs.4,272.

6. The AEE has produced copy of the notice dated 28.10.2015 issued to the appellant wherein it is stated that taking 76 units as the average consumption per month, he has arrived at the total of 667 units for the period from 19.1.2013 to 23.9.2013. Applying the tariff prevailing at the relevant points of time, has demanded Rs.4,272, failing which action would be taken to recover the amount.

7. On this notice, the Appellant approached the CGRF in complaint

8. The CGRF in its order dated 30.06.2016 has ordered as follows :

೧. ಮಾಪಕದ ದೋಷ ಪೂರಿತ ಅವಧಿಯ ಬಿಲ್ಲನ್ನು ಕರ್ನಾಟಕ ವಿದ್ಯುತ್ ನಿಯಂತ್ರಣ ಆಯೋಗದ ವಿದ್ಯುತ್ ಸರಬರಾಜು ಮತ್ತು ವಿತರಣೆ ಅಧಿನಿಯಮದ ಷರತ್ತು 27.04 ರಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಪರಿಷ್ಕರಿಸುವಂತೆ ಆದೇಶಲಾಗಿದೆ.

೨. ಮಾಪಕ ಬದಲಾವಣೆಯ ವಿವರಗಳನ್ನು ಗ್ರಾಹಕರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ನೀಡಲು ಆದೇಸಿಲಾಗಿದೆ.

Accordingly, the AEE says that in compliance of the orders of the CGRF dated 23.07.2016 that as per the order of CGRF the assessment was redone as required under Regulation 27.04 of Conditions of Supply and the back billing reduced from Rs.4,272-00 to Rs.3631-00.

9. The oral and written submissions made by both the parties perused and considered. The report of the AEE vide letter dated 23.03.2017 reveals the fact that a verification is made and the assessment is revised for the period under question as ordered by CGRF. The back billing is reduced to Rs.3,631-00. The report submitted by R-1 shows that he has replied well in time on the issues raised by the Appellant. It is also seen and noticed that the appellant has been informed about the action taken as ordered by CGRF. No vital reasons are found in the appeal to interfere with the order of the CGRF. Therefore, the appeal is dismissed.

Sd/-

(B.N. Krishnaiah)
Electricity Ombudsman

To :

1. Sri C.Honnaiah, S/o late Chikkaiah, No.86, 7th Cross, Sunkada katte, Bengaluru – 560 091.
2. The Chairperson, CGRF, Bangalore Urban District, BESCO, West circle, 05, 3rd stage, Bhimajyothi HBCS Layout, Next to Chord Road Hospital, Basaveshwara Nagar, Bangalore-560079.
3. Managing Directors of ESCOMs.
4. PS to Hon. Chairman, KERC
5. PS to Hon. Member (A), KERC
6. PS to Hon. Member (M), KERC
7. PS to Secretary, KERC
8. AEE, N-4, Peenya.
