

D-819

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-267/2016

Dated : 12.01.2017

Sri L.N.Gangaraju,
S/o L.R.Nagarajappa,
No.E-33/1, 1st Main Road, 1st Cross,
Laggere, 2nd Phase,
Bengaluru – 560 058

... Appellant

(Party in person)

V/S

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

(By Sri Rudresh AAO)

2. The Chairman & Superintending Engineer,
Consumer Grievance Redressal Forum,
Office of the Superintending Engineer,
BESCO, West Circle, 05, 3rd Stage,
Bhimajyothi HBCS Layout,
Next to chord Hospital, Basaveshwaranagar,
Bangalore-560079

... Respondents

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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, Bengaluru, dated 30.06.2016.
 2. Comments were called vide letter dated 02.08.2016 from the respondents and the AEE has submitted reply by letter dated 03.09.2016.
 3. Both the appellants and the respondents were informed vide letter dated 06.10.2016 regarding availability of sub-section 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004.
 4. The appellant Sri L.N.Gangaraju in his appeal has stated that the installation in RR No.PNP 4926 relates to the commercial premises and was vacant from 10.02.2012 to 26.09.2015. On 12.12.2013, BESCO authorities without information have changed the meter since it was not functioning. Thereafter based on the report of the Internal Audit Department a notice was issued on 10.04.2015 raising a demand of Rs.1,42,375-00 though there is no supply of electricity till 09.04.2015. Further states that during verification of the ledger it was noticed that a sum Rs.1,69,105-00 has been paid in respect of RR No.PNP 4926.
 5. The appellant has further stated that on 28.09.2015 AAO of BESCO visited the premises and disconnected the electricity of the entire building for which he says paid charges of Rs.60,000-00 and Rs.1,50,000-00. The authorities have not furnished the ledger extract showing the demand and collection details.
 6. The 1st respondent in his reply dated 03.9.2016 has submitted that the installation was connected with 30 HP power supply on 15.07.2006 under LT-5 (Industrial). Though there has been power consumption the installation is

charged only fixed charges. Based on the average consumption the short claim was calculated from January 2013 to December 2014 and after deducting Rs.30,693-00 which was already paid, raised a demand for Rs.1,42,375-00. The AAO who appeared on 28.12.2016 on behalf of the 1st respondent has defended the action by the authorities and submitted the details. However, the AAO further submitted that the Authority i.e. AEE would visit the premises again, show the reading in the meter to the appellant and calculate the charges as per norms for which the Appellant also has agreed.

7. Considered the submissions made and accordingly the matter is remanded to AEE to inspect the premises in the presence of the Appellant, examine and pass suitable orders as per the norms at the earliest.

Sd/-

(B.N. Krishnaiah)
Electricity Ombudsman

To :

1. Sri L.N.Gangaraju, S/o L.R.Nagarajappa, No.E33/1, 1st Main Road, 1st Cross, Laggere, 2nd Phase, Bengaluru – 560 058
2. The Assistant Executive Engineer (EI), O & M, N-4 sub-division, BESCO, Peenya, Bengaluru – 560 058
3. The Chairman & Superintending Engineer, Consumer Grievance Redressal Forum, Office of the Superintending Engineer, BESCO, West Circle, 05, 3rd Stage, Bhimajyothi HBCS Layout, Next to chord Hospital, asaveshwaranagar, Bangalore-560079
4. Managing Directors of ESCOMs.
5. PS to Hon. Chairman, KERC
6. PS to Hon. Member (A), KERC
7. PS to Hon. Member (M), KERC
8. PS to Secretary, KERC
