

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/G/G-281/2017

Dated : 29.06.2017

Abdul Saleem,
H.No.5-9-74,
Netaji Nagar,
G.D.Thota,
Raichur – 584 104

... Appellant

(By Sri S.Mahaboob, Authorised Representative)

V/S

1. The Assistant Executive Engineer (EI),
O & M, sub-division No.1,
GESCOM, Raichur

(AEE in person)

2. The Chairman & Superintending Engineer,
Consumer Grievance Redressal Forum,
Office of the Superintending Engineer,
O & M Circle, GESCOM,
Raichur

... Respondents

1. This is an appeal under clause 21.02 of KERC (CGRF & Ombudsman) Regulations, 2004 against the orders passed by CGRF, GESCOM, Raichur, dated 06.04.2017.

2. Comments were called vide letter dated 19.04.2017 from the respondents and the AEE has submitted reply by letter dated 28.04.2017.

3. Both the appellants and the respondents were informed vide letter dated 16.05.2017 regarding availability of sub-section 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004.

4. The appellant Sri Abdul Saleem has filed the complaint before the CGRF in Form No. 'A' requesting (1) to order for withdrawal of abnormal bill of Rs.68,820/- issued for the month of October 2016 and (2) to issue the correct bill. The complaint filed by the appellant has been dismissed by the CGRF on 06.04.2017. Hence, he has approached this Authority.

5. The AEE has furnished the parawise reply on 28.04.2017 and has stated as follows:

- (i) The installation bearing RR No.25706 was serviced on 11.08.1992 in the name of Sri Abbas Ali s/o Masoom Ali, to an extent of 240 watts under LT-2(a) category;
- (ii) This installation was transferred in the name of Sri Abdul Saleem (appellant) on 22.12.2004;
- (iii) Additional load to an extent of 4760 watts (existing 240 watts) was sanctioned and serviced on 05.03.2005 to an extent of 5 KW in total;
- (iv) During the month of December 2014, the R & R of electromechanical by static meter was done and the bill was

served for sum of Rs.15,893-0 and the payments done by the consumer in instalments;

- (v) During the month of October 2016 while effecting disconnection it was observed by the Section Officer that the meter provided to the installation was working but the meter reader was issuing the bill as MNR since May-2016. Therefore, the Section Officer billed the installation as per reading that is 184500.0 units for Rs. Rs.62003-00 (Rs.68,820-00 including arrears);
- (vi) Show cause notice was issued to the meter reader on 27.10.2016;
- (vii) The meter was calibrated on 10.01.2017 and found that the percentage error within the range of accuracy and working normally.

6. The CGRF in its order has stated that “ಸಹಾಯಕ ಅಭಿಯಂತರರ ಹೇಳಿಕೆ ಹಾಗೂ ಎಲ್.ಟಿ. ರೇಟಿಂಗ್ ಮೀಟರ್ ಪರಿಷ್ಕೆಯ ಮೇಲೆ ಮೀಟರ್‌ನಲ್ಲಿ ಬಳಕೆಯಾದ ಯೂನಿಟ್‌ಗಳ ಆಧಾರದಲ್ಲಿ ಒಟ್ಟಾರೆ ಬಿಲ್ಲು ಮಾಡಿರುವುದು ಸರಿಯಾಗಿರುತ್ತದೆ ಎಂದು ತಿಳಿಸಿರುತ್ತಾರೆ”. With this the CGRF has stated in its order that the bill raised is in order. The CGRF has not assigned proper reasons in passing the order. During the hearing also the authorized representative maintained that the arrears bill issued at Rs.62,003-00, that too, for a domestic installation is very high. In fact there is no reply given to the letter of the consumer seeking details. Inconsistency was pointed out by the authorised representative in the statement (consumer history statement) produced before this Authority. The entire case needs to be properly examined as

per rules. Hence, it would be appropriate for this Authority to remand the case to the CGRF for fresh consideration. Hence, the following order.

ORDER

Appeal is allowed. The Order dated 06.04.2017 of the CGRF, Raichur, is set aside. The matter is remanded to the CGRF for fresh consideration. The CGRF shall give an opportunity of hearing to the consumer or his representative and pass order as per law.

Sd/-

(B.N.Krishnaiah)
Electricity Ombudsman

To:

1. Sri S.Mahaboob, No.13-2-2/195, Arjunappa Colony, Yeramaras Camp, Raichur – 584 135
2. The Assistant Executive Engineer (EI), O & M, sub-division No.1, GESCOM, Raichur
3. The Chairman & Superintending Engineer, Consumer Grievance Redressal Forum, GESCOM, Office of the Superintending Engineer, O & M Circle, Raichur
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
