

D-669

# BEFORE THE ELECTRICITY OMBUDSMAN

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

**Present: B.N.Krishnaiah**  
**Electricity Ombudsman**

**Case No.OMB/C/G-238/2015**

**Dated : 31<sup>st</sup> March 2016**

Smt. Saraswathi,  
No.129, 2<sup>nd</sup> Block, 8<sup>th</sup> Cross,  
Ramabai Nagar,Mysuru.

... Appellant

**(By Sri Nabaghushan Aradhya, Authorised Representative)**

V/S

1. The Assistant Executive Engineer(EI),  
O&M, Sub-Division,  
Chamundeshwari Eelctricity Supply Corporation,  
Kuvempu Nagar,  
Mysuru

... Respondent

**(Party in person)**

2. The Chairperson  
CGRF & Superintending Engineer,  
Chamundeshwari Eelctricity Supply Corporation  
Jodi Basaveshwara Road,  
Kuvempu Nagar,  
Mysuru

... 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, CESC, Mysuru (here in after referred to as the 2nd Respondent) dated 30.11.2015.
2. Comments were called vide letter dated 05.01.2016 from the respondent AEE and he has submitted the reply vide letter dated 11.01.2016.
3. Both the appellants and the 1<sup>st</sup> respondent were informed vide letter dated 14.03.2016 regarding availability of sub-section 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004, which both the parties have not availed. Hence, this Authority proceeds to pass orders on merits of the case.
4. The facts of the case are that an house No.129, 2<sup>nd</sup> Block, 8<sup>th</sup> Cross, Ramabai Nagar, Mysuru, was allotted to one Sri Siddesh under Ashraya Scheme. The said Sri Siddesh has entered into a rental agreement with the appellant. On the basis of this agreement the appellant has approached the AEE, CESC, seeking power connection which was rejected by the AEE. This endorsement of the AEE rejecting the power connection was challenged before the CGRF which has dismissed the complaint by its order dated 30.11.2015. Challenging this order of the CGRF, the appellant has approached the Ombudsman.
5. The house was allotted to one Sri Siddesh under Ashraya Scheme by the Authorities and one of the conditions reads “ಸದರಿ ಫಲಾನುಭವಿಗಳು ನಿವೇಶನವನ್ನು ಬೇರೆಯವರಿಗೆ ಬಾಡಿಗೆಗೆ ನೀಡದೆ ಸ್ವಯಂ ಉಪಹೋಗಿಸುವುದು ಹಾಗೂ ಸದರಿ ನಿವೇಶನವನ್ನು ಎಲ್ಲಾ ಕಾಲಕ್ಕೂ ಸುಸ್ಥಿಯಲ್ಲಿ ಇಟ್ಟುಕೊಳ್ಳುವುದು”. Hence, letting out the house on rent violates the condition of allotment imposed by the Authorities.

In view of the same the AEE has rightly rejected the request of the appellant for power connection. Hence, there are no grounds to interfere with the action of the AEE and the order of the CGRF dismissing the complaint filed by the appellant. The appeal requires to be dismissed.

**ORDER**

The appeal is dismissed.

Sd/-

**(B.N. Krishnaiah)**  
**Electricity Ombudsman**

To :

1. Sri Nagabhushan Arachya, No.798, 5<sup>th</sup> Main, 5<sup>th</sup> Cross, Ramabai Nagar, Mysuru.
2. The Assistant Executive Engineer(EI), O&M, Sub-Division, Chamundeshwari Electricity Supply Corporation, Kuvempu Nagar, Mysuru
3. The Chairperson  
CGRF & Superintending Engineer,  
Chamundeshwari Electricity Supply Corporation  
Jodi Basaveshwara Road, Kuvempu Nagar, Mysuru
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

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