

D-657

## 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/H/G-232/2015**

**Dated : 15<sup>th</sup> March 2016**

Durgappa Mariyappa Kattimani,  
R.S.No.84/4, Bagalkote Village,  
Bagalkote.

... Appellant

**(By Ranganatha M.Padamukhe Authorized Representative)**

V/S

1. The Assistant Executive Engineer(EI),  
O&M, Sub-Division,  
HESCOM,  
Navanagar, Bagalkot - 587 101

2. The Chairperson  
CGRF, & Superintending Engineer,  
HESCOM,  
Bagalkot

... Respondents

**(R-1 by Sri H.V.Devaraj, Advocate)**

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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, HESCOM, Bagalkot, (here in after referred to as the 2nd Respondent) dated 03.11.2015.
2. Comments were called from the AEE, Bagalkot, vide letter dated 15.12.2015. He has submitted his reply by his letter dated 02.01.2016.
3. Both the parties were informed vide letter dated 23.02.2016 regarding availability of sub-regulation 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004 for settlement by conciliation and mediation which both parties have not availed. Hence, the Authority proceeds to pass the orders on merits.
4. The authorised representative of the appellant contended that –
  - (a) Durgappa Mariyappa Kattimani applied for 7.5 HP power connection for his IP set under “Self Execution Scheme”.
  - (b) The intimation sanctioning the power was given on 21.09.2011. The supervision charges was paid by the appellant on the same day i.e. 21.09.2011.
  - (c) Certificate was issued by the HESCOM, Bagalkot dated 30.09.2011 to pay supervision charges at 10% and to treat the same as sanction letter.
  - (d) Deputy Electrical Inspector has inspected the spot on 11.01.2012 and issued the Satisfactory Certificate.
  - (e) RR number was given only on 27.09.2015 and there has been inordinate delay in giving power connection and hence prayed for compensation.

(f) Since, the CGRF dismissed the complaint and he has approached the Ombudsman.

5. The learned Counsel for the AEE argued that after spot inspection power sanction was issued on 21.09.2011 with a condition to take up the work under Self Execution Scheme for executing the work by appointing Class-I Contractor by the consumer. Neither the appellant nor his contractor approached the HESCOM Authorities and informed about completion in writing and requested for power connection with RR number. However, Licensee informed the appellant telephonically and the joint inventory was conducted on 13.07.2015. Consequently, power supply was given on 24.07.2015 allotting RR number. In the circumstances, there is no delay on the part of the HESCOM and sought for dismissing the appeal says the learned Counsel for Respondent.

6. At the time of hearing also, the Authorized Representative for the appellant admitted that the appellant nor his contractor have informed in writing regarding completion of work and sought for power supply with RR number. His contention is that the Licensee should keep a watch on the work and take necessary action.

7. Point to be noted here is that there is no delay caused by Respondent No.1 in sanctioning the power. Immediately after a lapse of 11 days from the date of joint inventory the power sanction is given. No justifiable reason is found to accept the demand for awarding compensation. Hence, the order passed by the CGRF dismissing the complaint is upheld. In the circumstances, this Authority proceeds to pass the following order.

## **ORDER**

The appeal is dismissed.

Sd/-  
**(B.N. Krishnaiah)**  
**Electricity Ombudsman**

**To :**

1. Sri Ranganath M.Padamukhe, Sector No.10, Plot No.6, Model-C, Navanagar, Bagalokot – 587 103
2. Sri H.V.Devaraj, Advocate, No.39, Shop No.24, Mezzanine Floor, A.S.V.N.V.Bhavan, K.G.Road, Bangalore.
3. The Assistant Executive Engineer, City sub-division, HESCOM, Sector No.25, Navanagar, near SBI, Bagalkot.
4. The Chairperson, CGRF, & O/o Superintending Engineer, HESCOM, Near Engineering College Circle, Vidyagiri, Bagalkot – 587 102.
5. Managing Directors of ESCOMs.
6. PS to Hon. Chairman, KERC
7. PS to Hon. Member (A), KERC
8. PS to Hon. Member (M), KERC
9. PS to Secretary, KERC

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