

BEFORE THE ELECTRICITY OMBUDSMAN
No.16 C-1, Miller Tank Bed Area (Behind Jain Hospital)
Vasanthanagar, Bengaluru-560052.

Present: S.S Pattanashetti,
Electricity Ombudsman,
Case No. OMB/G/G-319/2019
Dated 06-05-2019

In the matter of

Shri Srinivasa Gouda,
No.4-4-100/30, Yeragera Layout,
Near Ambedkar Bhavan,
Zahirabad,
Raichur-584101.

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Appellant

Vs

- 1) The Assistant Executive Engineer (Electrical),
O & M Urban Sub-Division-1, GESCOM,
Raichur.
- 2) The Chairman/Members,
Consumer Grievance Redressal Forum,
Raichur District, GESCOM,
Raichur

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Respondents

1. This Application/Complaint is filed by Shri Srinivasa Gouda (Appellant/Complainant), under the provisions of clause 21.2 of the KERC (Consumer Grievance Redressal Forum and Ombudsman) Regulations 2004, in Form 'B' challenging the order passed by CGRF, Raichur District bearing No.ಅಅ(ವಿ)ಉಲೆನಿ/ಲೆಅ/ಸಲೆಅ/ಹಿಆಸ/ 2018-19/6557-65 ದಿನಾಂಕ 14-02-2019, before this Authority, by inter-alia seeking relief to remove Rs 44,096/- with interest included in the bill without notice; Rs 50/- each day for not response by A.E.E.

2. Brief facts, which are relevant to the case as claimed by the Appellant/Complainant, are as follows:
 - a) It is stated that in the electricity bill issued during the month of December 2015, an abnormal amount of Rs 44,096/- has been added and the same is continuing with interest.
 - b) It is further stated that notice was not issued and no details were furnished to this bill.
 - c) It is further stated that a representation was made on 24-02-2018 to the concerned Assistant Executive Engineer (Electrical) to issue rectified bill and to give details of Rs. 44,096/- as shown in the bill.
 - d) Aggrieved by the non-redressal of his complaint by the Assistant Executive Engineer, the Appellant submitted his grievance to the Respondent-2/Chairman, CGRF, Raichur District.
 - e) The CGRF, Raichur District vide order dated 14-02-2019 has held that the back-billing charges as claimed in R.R. No. 5212338067 bill is in accordance with KERC Regulations.
3. Both the parties were informed vide this office letter No. OMB/G/ G-319/2019/D-1208 dated 05-03-2019, regarding availability of provisions in Sub-Regulation 1 of Regulation 20 of KERC (CGRF & Ombudsman) Regulations, 2004 for settlement through conciliation and mediation and to appear before this Authority on 19-03-2019. However, they have not availed the benefit of the said provision.
4. On 03-04-2019 during the course of hearing, the appellant's Representative Shri S. Mahaboob, No.13-2-2/195, Arjunappa Colony, Yeramaras Camp, Raichur-584135, who has been nominated to represent the case on behalf of the Appellant, has withdrawn his

representation from attending further proceedings of the case, and the same was communicated to the Appellant vide this office letter No. OMB/G/G-319/2019/D-1245 dated 03-04-2019 by intimating the next date of hearing.

5. On 26-04-2019, the case was called. The Appellant was absent inspite of notice issued to him, and the Respondent-1 Assistant Executive Engineer (Electrical) was present. It appears that the Appellant has not shown any interest to further prosecute in the case. Further, during the course of hearing, I have perused the documents filed by the Appellant/Complainant and it is found that there are certain irregularities and lacuna in the order dated 14-02-2019 passed by the CGRF, and noticed that only chairperson has put his signature and passed the order without the signature of the Members of CGRF. As per KERC (CGRF & Ombudsman) Regulations, 2004, Clause 8.3, all the Members and Chairperson of CGRF conducting the proceeding of hearing have to sign the order passed by it. From a perusal of the CGRF order dated 14-02-2019, it is observed that 2 (two) members of the CGRF were present during the hearing of the case, but they have not signed the order, as required under Clause 8.3 of the KERC (CGRF & Ombudsman) Regulations, 2004. This is a serious lapse and lacuna in the CGRF order.
6. For the foregoing reasons, I proceed to pass the following order:

O R D E R

The order of CGRF-Raichur District bearing No. ಅಅ(ಏ)ಉಲೆನಿ/ಲೆಅ/ ಸಲೆಅ/ಹಿಅಸ/2018-19/6557-65 ದಿನಾಂಕ 14-02-2019 is set aside and the matter is remanded back to CGRF to hold a fresh hearing strictly in accordance with the KERC (CGRF & Ombudsman) Regulations, 2004.

Sd/-
(S.S Pattanashetti)
Electricity Ombudsman.

- 1) Shri Srinivasa Gouda,
No.4-4-100/30, Yeragera Layout,
Near Ambedkar Bhavan,
Zahirabad,
Raichur-584101.
- 2) The Assistant Executive Engineer (Electrical),
O & M Urban Sub-Division-1, GESCOM,
Raichur.
- 3) The Chairman,
Consumer Grievance Redressal Forum,
Raichur District,
Superintending Engineer, GESCOM,
Raichur.
- 4) PS to Hon'ble Chairman, KERC
- 5) PS to Hon'ble Member (M), KERC
- 6) PS to Hon'ble Member (R), KERC
- 7) PS to Secretary, KERC.
- 8) Chairperson of all CGRFs in the State.

