

Before the Electricity Ombudsman
9/2, 6th Floor, Mahalakshmi Chambers, M.G.Road,
Bangalore
Present: B.R.Jayaramaraje Urs, IAS
Electricity Ombudsman
Case No.OMB/B/G-116/2011/10941
Dated 12.09.2011

BETWEEN

Shri T.Vasudevaiah,
 Morahnagar, Near Bible College,
 BEML Nagar Post,
K.G.F.-560115
(Represented by Shri C.S.Hashim Saeed, Advocate)

.. Appellant

Vs

1. Assistant Executive Engineer,
 C, O&M Sub Division, BESCO,
 Champion Reef,
K.G.F.

2. Consumer Grievances Redressal Forum (C.G.R.F)
 BESCO Corporate office,
 K.R.Circle,
Bangalore-560001

.. Respondents

This is an appeal under the provisions of KERC (Consumer Grievance Redressal Forum & Ombudsman) Regulations,2004 against the orders by the 2nd Respondent vide No CGRF/38/2010/1334-1339 dated 02.04.2011 (herein after referred to as "Forum") in respect of the Appellant's grievance relating to short claims by the 1st Respondent to an extent of Rs.3,76,514/- due to non-conversion of meter constant relating to installation No BIP-113. The Forum declined to issue direction to BESCO (Bangalore Electricity Supply Company - herein after referred to as the 1st Respondent) not to collect the short claims to an extent of

Rs.3,76,514/-. Being aggrieved by the Forum's order (the impugned orders), the Appellant filed appeal on 14th June, 2011. Notices were served to the parties to appear on 23rd August 2011. On 23rd August 2011, on behalf of the Appellant, Advocate Shri Hashim Saeed was present and Respondent No.1 Asst Executive Engineer (Elei) K.G.F Sub Division was present.

Advocate for the Appellant submitted that the Appellant was not disputing the short claims of the 1st Respondent and the Appellant had accepted the demand raised by the 1st Respondent, but only prayed for grant of more installments to pay the short claims of BESCO. The opinion of the 1st Respondent was sought on this request. The 1st Respondent sought time to consult his superiors. Time was granted to the 1st Respondent and case was again posted to 9th September 2011 for further hearing in the matter.

On 9th September 2011, both parties were present. The 1st Respondent submitted that in view of the fact that Appellant had agreed to pay the short claims and generally whenever Consumer came forward to settle such short claims, BESCO normally gave installments and, in the present case, the Appellant was requesting for more installments and the request of the appellant might be considered taking BESCO's interest also into consideration.

It is seen from the orders of the Forum that the Appellant has granted six installments to pay the short claims. Since the Appellant had filed the appeal before the Ombudsman, the Appellant has not paid the instalments. The 1st Respondent clarified that the Appellant had paid only Rs.30,000/- after the Forum's orders.

In view of the submission made by the 1st Respondent that BESCO normally grants instalments if consumer agreed to pay the back billing charges and further in the present case BESCO is agreeable to grant ten instalments to the Appellant, this Authority proceeds to pass the following orders.

ORDER

In the circumstances discussed above, the orders of the Forum vide No. CGRF 38/2010/1334-1339 dated is upheld in terms of merit and regarding the prayer of the

Appellant, this Authority hereby modifies the order passed by the Forum enhancing the No. of instalments from 6 months to 10 installments. Installments will start from September, 2011.

(B.R.Jayaramaraje Urs)
Electricity Ombudsman

1. Shri T.Vasudevaiah, Morahnagar, near Bible College, BEML Nagar Post, K.G.F.- 560115.
2. Assistant Executive Engineer(E), , C, O&M Sub Division, BESCO Champion Reef, K.G.F.
3. Consumer Grievance Redressal Forum, BESCO Corporate Office, K.R.Circle, Bangalore-1
4. Managing Directors of all ESCOMs.
5. PS to Hon. Chairman, KERC
6. PS to Hon. Member (H), KERC
7. PS to Hon. Member (S), KERC
8. PS to Secretary, KERC
9. OCA