

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM,
HESCOM, BELAGAVI**

-O-O-O-

CASE NO. 28/2022

BETWEEN :

Smt. Janhavi Vishal Kalyanshetty,
CTS No 1575/B, Maruti Galli,
Belagavi.

3v Registered Post

Represented by
Sri. Prabhakar Nagaramunoli,
1946, Keshavkrupa Complex,
Kadolkar Galli,
Belagavi-590001.

.....Complainant.

V/S

1) Asst. Executive Engineer (Ele),
O&M City Sub-Division-1, HESCOM,
Belagavi.

.... Respondent.

Memorandum of complaint under section 42(5) of Electricity Act-2003 and under Clause No. 4.22 (f) of K.E.R.C. (Consumer Grievance Redressal Forum and Ombudsman) Regulations 2004 and Amendments 2013 :-

Consumer named Smt. Janhavi Vishal Kalyanshetty had availed power supply for her installation bearing R.R.No. CSCT-12160 and after closure has applied for refund of deposits/ACC paid. Because of non payment /non refund of deposit/ACC she has filed the complaint before this forum.

The Installation bearing R. R. No.CSCT-12160 is under the jurisdiction of CGRF Belagavi District as per KERC Amendent 2013 Act O M No. HESCOM/GM(T)/EE-4/AO/2013-14/CYS-769 Dtd. 16.07.2013 issued by Corporate Office HESCOM Hubballi.

A. Brief History of the Case :

1. Smt. Janhavi Vishal Kalyanshetty R/o CTS No. 1575/B, Maruti Galli, Belagavi, claimed that she had availed Temporary Power Supply Vide R.R.No. CSCT-12160. The Temporary power was disconnected as per her request. Smt. Janhavi Vishal Kalyanshetty (Here after to be referred as Appellant) had given application to Asst. Executive Engineer(Ele.), O & M City Sub Division-1, HESCOM, Belagavi on 17.05.2022 for refund of deposits/ACC she has paid for availing the temporary power supply.
2. The Appellant claims, she has neither received the refund of deposits/ACC nor she has received any communication from Asst. Executive Engineer(Ele.) O& M City Sub Division-1, HESCOM, Belagavi till 02.12.2022 (Here afterwards to be referred as respondents).
3. Whereas, as per ther SOP (Standards of Performance) notified by KERC, the refund of deposits/ACC is to be made by the respondent within sixty days from date of application. In this case the respondent has not paid the deposits/ACC, hence she filed this complaint before the forum.
4. The forum has accepted the complaint and issued a letter to Asst. Executive Engineer(Ele.) O & M City Sub Division-1, HESCOM, Belagavi Vide Ltr No. 6398-6900 Dated 08.12.2022, stating that Smt. Janhavi Vishal Kaylanshetty has filed a complaint before this forum for non refund of Deposit/ACC. Hence Asst. Executive Engineer (Ele.) O & M City Sub Division-1, HESCOM, Belagavi was asked to furnish details.
5. Issued a notice to the appellant and respondent to appear before the forum on 11.01.2023 at 4.30 pm.

B. Sri. Prabhakar Nagarmunoli, the representative of complainant has submitted as below.

My client Smt. Janhavi Vishal Kalyanshetty has filed an application before Asst. Executive Engineer(Ele.) O & M City Sub Division-1, HESCOM, Belagavi for refund of deposit/ACC in respect of R. R. No.CSCT-12160 where as till date the deposit/ACC is not refunded.

Hence requested the forum to take action as per KERC norms and to penalize the concerned officers for not providing service as per SOP (Standard of Performance).



C. The Respondent submitted as below:

It is true, that we have received request letter from Smt. Janhvi. V. Kalayanshetti for refund of Deposit/ACC in respect of R.R. No. CSCT-12160.

Upon verification of records we found that this R. R. No. CSCT-12160 belongs to Shri. Bashirahmed Shaikh, Resident of Aman Nagar, Belagavi and was not of Smt. Janhvi. V. Kalyanshetti.

We tried to contact Smt. Janhvi. V. Kalyanshetti through Mobile No. 9448191405. (The Mobile No. provided on the application) whereas the consumer has not responded.

Upon receiving the Letter and Notice, from Office of Chairperson CGRF & Superintending Engr.(Ele.) O & M Circle, HESCOM, Belagavi, we wrote a letter to Smt. Janhvi. V. Kalyanshetti on 06.12.2022 stating that the R. R.No. cited in the application doesn't belong to her. Hence it is not processed.

Further consumer Smt. Janhvi. V. Kalyanshetti was requested to furnish the application for her R.R. No. Smt. Janhvi. V. Kalyanshetti has submitted an application on 15.12.2022 for refund of deposit/ACC in respect of R.R. No. CSCT-13160. We found this R.R. No. is issued in the name of Smt. Janhvi. V. Kalyanshetti and hence the application is processed and proposal for refund of deposit/ACC is submitted to Executive Engineer (Ele), O & M Urban Division, HESCOM, Belagavi on 16.12.2022.

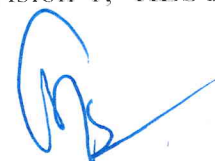
D. Argument of Sri. Prabhakar. S. Nagarmunnolli representative of Smt. Janhavi. Vishal Kalyanshetty

"The Official / Employee of the City Sub Division-1, HESCOM, Belagavi as they have claimed before this forum for having called and tried to contact Mobile No. 9448191405 is not correct. This Mobile No. belongs to the complainant and no one called her.

As the application submitted was bearing R.R.No. CSCT-12160 doesn't belong to my client at least Asst. Executive Engineer (Ele.) O & M Sub Division-1, HESCOM, Belagavi should have written to my client accordingly.

Hence it is proved that from 17.05.2022 till 06.12.2022 (the date falls after our filing of complaint before this forum) the Sub Division Officer has not thought of giving service to the consumer as per SOP. Hence they are liable to be penalized".

E. Upon going through the complaint filed, the statement given by Asst. Executive Engineer (Ele.) O & M City Sub Division-1, HESCOM,



Belagavi and his sub-ordinate officers, the statement given by the representatives of the complainant and arguments of representatives of the complainant, the following points arise for consideration of this. *forum*

1. Whether the respondent has erred in addressing the issue as per S.O.P.
2. Whether the respondent is liable to be punished as per the provisions of S.O.P and if Yes what punishment?
3. What should be the relief to the complainant.

Our answers to the above points are as follow:

Point No.1 Yes, the reason being that, as the complainant has mentioned wrong R.R.No., hence the respondent was not in a position to resolve the issue. However the respondent should have taken action by way of writing to the complainant regarding the R.R.No. being wrong, which has not been done.

Hence, Yes, the respondent failed in giving service as per the S.O.P.

Further, it was the duty of the complainant to give / furnish correct R.R. No. for refund which has not been done.

However, the respondent has acted swiftly once they received a notice from this forum for appearing before the forum.

Point No.2 : a) The respondent has not acted for giving the service as per SOP.

b) The complainant has not furnished correct R.R.No. etc.

Hence the respondent is liable to be warned to be cautious in future.

Point No.3 : 1) The complainant has filed another application for refund of her deposits/ACC on 15.12.2022, which is agreed by the respondent. This time the complainant has furnished correct R.R. No. and hence the respondent submitted that they have processed the application and proposal for refund is already submitted to O & M Urban Division, HESCOM, Belagavi.

Hence forum can issue directions to Executive Enginee(Ele.) O & M Urban Division, HESCOM, Belagavi to process the application and refund of deposits/ACC within sixty days from the dae of filing application.

ORDER

NO: BGM/CGRF/SEE/DCA/AAO/SA-2/2022-23/

DATE *13* 0 JAN 2023

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1. The Appeal filed by complainant before this complainant forum on dated 02.12.2022 regarding non-payment of deposit/ACC is admitted.

The Executive Engineer(Ele.) O & M Urban Division, HESCOM, Belagavi is directed to refund the deposit/ACC of the Consumer /Complainant within 15.02.2023 i.e within 60 days from date of application (15.12.2022).

2. The Asst. Executive Engineer(Ele.) O & M City Sub Division-1, HESCOM, Belagavi is hereby warned to be carefull in future and render services to the consumers as per SOP without fail.



(Sri. Praveenkumar. K Chikade)
Member of CGRF,
Belagavi District and
Executive Engineer(Ele.),
O&M Rural Division,
HESCOM, Belagavi.



(Chandrakant.T.Majagi)
Member of CGRF,
Belagavi District
Nominated by KERC.,



(Giridhar Kulkarni)
Chairman of CGRF,
Belagavi District and
Superintending Engineer(Ele),
O&M Circle, HESCOM,
Belagavi.

Copy forwarded for information and needful to :-

- 1) The Executive Engineer (Elecl), O&M Urban Division, HESCOM, Belagavi.
- 2) The Asst.Executive Engineer (Elecl), O&M City Sub-Division-1, HESCOM, Belagavi is directed to take necessary action as mentioned in this order.
- 3) Smt. Janhavi Vishal Kalyanshetty, CTS No 1575/B, Maruti Galli, Belagavi.
- 4) Sri. Prabhakar Nagaramunoli, 1946, Keshavkrupa Complex, Kadolkar Galli, Belagavi-590001.

