

**THE STATE ELECTRICITY OMBUDSMAN**

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**Appeal Petition No. P/026/2023**  
**(Present A. Chandrakumaran Nair)**  
**Dated: July-11-2023**

Appellant : Smt. Sathi Devi P., Kalappurakkal  
Veedu, Kandanadu P.O., Aimcombu,  
Meenachil, Kottayam.

Respondent : The Assistant Executive Engineer  
Electrical Sub Division,  
Kerala State Electricity Board Ltd.,  
Ramapuram, Kottayam.

**ORDER**

**Background of the case**

The appellant Smt. Sathi Devi is a consumer under the Electrical Section, Kollappaly, with consumer number 1157407004829 and residing at Aimcombu. The appellant received a heavy bill for the billing month August/2022 amounting Rs. 13,532/-. The appellant complained to the officials of the Licensee. The meter reader has not taken the reading for the two billing cycles mentioning the meter was not accessible as the gate was closed. The meter reader has not used the wicket gate at the side for entering inside to take reading. The billing was done based on the average consumption of previous billing cycle and the actual reading was taken on the billing month of August 2022. The total amount was calculated by spreading the consumption for the door lock period and adjusted with the provisional bill. The appellant requirement is to revise the exorbitant bill and issue a normal bill on the basis of average consumption. The appellant filed petition to the CGRF and CGRF issued order stating that the appellant is liable to pay the amount as per the bill. Aggrieved by the decision of CGRF, the appellant filed this appeal petition to the authority.

## **Arguments of the Appellant**

1. I got a huge electricity bill of Rs.1,35,321/- on 08/08/2022. When I inquired at the KSEB, Kollapally office, the door was locked twice when they came to take the meter reading. It is said that, this is why such a huge electricity bill was given. But this is untrue. The wicket gate of my house is always open. I have lived in this house for more than 32 years. As the house is located on the main road side and I am alone during the day, the front gate (vehicle access) is kept closed. But the wicket gate on the north side of the house is there since I started living in this house. Till date none of the government officials (postman, KSEB) or employees who have come have had any difficulty in entering my house through this gate. Never before this, in this 32-year period, not a single bill has come in the form of a door lock. KSEB officials are trying to collect a huge bill amount from me by placing the additional burden on me as part of the failure of the KSEB staff to take the readings (or not coming to take the readings).
2. I have complained to the Executive Engineer and CGRF for these reasons. But I did not get justice. I am a 67-year-old widow and I humbly request you to look into all these matters and find out and reduce this huge bill amount to at least half. During that period my son had to face a very bad experience from AE, KSEB Kollappally Section Office. When I complained about it (AEE, KSEB(Ramapuram)) they told me that no action can be taken as they belong to the same union.

## **Arguments of the Respondent**

1. The Assistant Engineer, Electrical Section, Kollapally of KSEB Ltd received a complaint from the petitioner on 25-08-2022 routed through the Honorable MLA regarding the high electricity bill amount. On verification it was noted that during 4<sup>th</sup> and 6<sup>th</sup> months, Meter Reader couldn't enter the petitioner's house to take meter reading since the gate was in locked condition. Hence as advised in Supply code 2014, section 124 provisional bills were issued during April and June on the basis of the average consumption of the previous three billing cycles and the matter was intimated to the consumer.
2. Later when the meter reader got access to the Meter these provisional bills were adjusted on the basis of the subsequent actual meter reading. In order to verify the working status of meter the same was tested at TMR and found to be in good condition. The consumer is liable to pay the billed amount to KSEBL for the consumption he has already been made. The matter was conveyed to the petitioner vide letter dt. 01-09-22.
3. There was no misbehavior from the Assistant Engineer as stated in the petition.

The petitioner lodged same complaint at the CGRF Kottarakkara and the Hon'ble Chairperson of Consumer Grievance Redressal Forum (OP 66/2022 Dt. 13.04.2023) found that licensee had adhered to the relevant provisions of Kerala Electricity Supply code 2014 regarding the procedure for billing in the case if meter is not accessible in any premises for reading. The Hon'ble Chairperson disposed the case with the order that the bill amounting to Rs, 13,532/- issued by the licensee for the month of August 2022 as legal and sustainable and the petitioner is liable to remit the amount of bill and that installment facility shall be allowed if requested.

4. Aggrieved by this order the petitioner has filed the same complaint with an additional claim against the undersigned that when she complained against the Assistant Engineer, the undersigned intimated that it is not possible to take action against the Assistant Engineer since we are of same union. This is totally deceitful statement. The petitioner is playing dirty tricks without any valid grounds against the sincere officers of KSEBL which are totally demotivating and time wasting only.
5. Due to the above reasons, it is humbly prayed that the case may be dismissed and orders issued asking the complainant to remit the balance amount accordingly.

### **Counter Arguments of the Appellant**

1. Many of the things that KSEB itself has said in the counter statement of the complaint are not true. The door lock mentioned by them is completely untrue. The meter is installed outside on the south side of my house. The postman, courier and gas delivery man also enter through this wicket gate. So due to no fault of my own, the bill was given without taking the reading on time, and accordingly my tariff was changed and the money was increased.

### **Analysis and findings**

The hearing of the case was conducted on 26/06/2023 at 11:30 a.m. in the office of the State Electricity Ombudsman, D.H Road & Foreshore Road Junction near Gandhi square, Ernakulam South. The hearing was attended by the Appellant's son Sri.Vipin Sasi and the Respondent Smt. Raimol Pavitran, AEE, Electrical Sub Division, Ramapuram.

The meter reading of the consumer were not taken for 04/2022 and 06/2022 and reason mentioned was that the gate was in a locked condition and hence meter reader could not access to the meter location. The appellant stated that their gate was fixed long back, there is a calling bell push, while pressing the electric gate will be electrically opened and the meter reader could

enter the premise. This is the practice happening for a long time. The gate is always closed due to security point of view. There is a wicket gate fixed on the side of the house little away and this is used for access into this area for all purposes. Further stated that on 04/2022 and 06/2022, no body approached the gate and not pressed the bell. No body contacted on the phone also. If the bell would have rang, the gate would have opened and the reading would have taken. Though there is a wicket gate, the version of the licensee is that the wicket gate was not visible from outside. The fact whether the meter reader approached there or not is not able to establish as both the parties could not produce any document to support the argument.

As the status of meter reading was door lock condition, the bill generated based on the average of the previous billing cycles as provisional bill and later adjusted on the billing month of 08/2022 based on the actual reading.

The Section 124 of the Kerala Electricity Supply Code 2014 spells out the procedure for billing when meter is not accessible.

Section 124 (1) *“If the licensee is not able to access the meter for reading, a provisional bill may be issued on the basis of the average consumption of the previous three billing cycles.”*

(2) *“The licensee shall ensure that such provisional billing does not extend to more than two billing cycles at a stretch, and there are not more than two provisional bills generated for a consumer during one financial year.”*

(3) *“The provisional bills shall be adjusted on the basis of the subsequent actual meter reading.”*

Here the billing of door lock condition is not exceeded two billing cycles and the provisional bill raised was adjusted based on the actual meter reading. The meter reading shows that 2400 units consumed from 28/02/2022 to 08/08/2022, and this was spread to three billing cycles as 800 units each. Then the total bill amount arrived was 19,419/- paid amount of Rs. 5,880/- adjusted and the balance to be paid was Rs. 13,532/-.

Then another allegation of the appellant is the misbehaviour from the Section office when he approached for the clarification about the high bill amount. The Section office is the public face of the licensee, and the licensee has to ensure that the section office officials behave properly with the consumers. Here the question is that whether, meter reader has done his duty properly. This is to be examined by the licensee, if he has not performed his duty well necessary action is to be taken against him.

The meter was tested and was working well. The meter reading would be correct and the read units are actually consumed. Then energy charges for the consumed units are to be paid.

## **Decision**

On verifying the documents submitted and hearing both the petitioner and respondent and also from the analysis as mentioned above, the following decision are hereby taken.

1. The appellant is liable to pay the charges as per the bill raised.
2. The licensee shall grant 12 instalments for remitting the payment.
3. No interest or surcharge payable.
4. The licensee shall examine whether the meter reader has performed his duty well, if not suitable action is to be taken.
5. No order on cost.

## **ELECTRICITY OMBUDSMAN**

No. P/026/2023/\_\_\_\_\_ dated:\_\_\_\_\_.

Delivered to:

1. Smt. Sathi Devi P., Kalappurakkal Veedu, Kandanadu P.O., Aimcombu, Meenachil, Kottayam.
2. The Assistant Executive Engineer, Electrical Sub Division, Kerala State Electricity Board Ltd., Ramapuram, Kottayam.
3. Copy to:
  1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
  2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.
  3. The Chairperson, Consumer Grievance Redressal Forum, Vydhyuthibhavanam, KSE Board Ltd, Kottarakkara - 691 506.