

THE STATE ELECTRICITY OMBUDSMAN  
Charangattu Bhavan, Building No.34/895, Mamangalam-Anchumana Road,  
Edappally, Kochi-682 024  
[www.keralaeo.org](http://www.keralaeo.org) Ph: 0484 2346488, Mob: 91 9539913269  
Email:ombudsman.electricity@gmail.com

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APPEAL PETITION No. P/011/2018  
(Present: A.S. Dasappan)  
Dated: 30<sup>th</sup> April 2018

Appellant : Sri. Nisam Abdul Rahman  
Puthenveedu, Melvettoor,  
Varkala, Thiruvananthapuram

Respondent : The Assistant Executive Engineer,  
Electrical Sub Division,  
KSE Board Ltd., Varkala,  
Thiruvananthapuram

### **ORDER**

#### **Background of the case:**

The appellant, Sri Nisam Abdul Rahuman, Puthenveedu, Melvettoor, Varkala is a registered consumer under Electrical Section, Varkala having Consumer No. 1145250003311. It is 3 phase connection with a connected load of 13499 Watts. He was received an exorbitant bill amounting to Rs. 69,004/- dated 01-09-2017 for the consumption of 8941 units for the bimonth from 01-07-2017 to 01-09-2017. A petition filed under Petition OP No.521/2017 before the CGRF, Kottarakkara, by the appellant was dismissed vide order dated 10-01-2018 and held that the bill issued is in order. Aggrieved by this Order, the appellant has submitted the appeal dated 12-02-2018 before this Authority.

#### **Arguments of the appellant:**

The gist of the complaint of the appellant is as follows. The appellant has received a bill for Rs. 69,004/- (8941 units) on September 2017. The appellant is an expatriate who resides in Dubai and usually comes to his home on July - August. The average electricity bill is Rs. 600/- per month. The appellant came to his home on 04-07-2017 and returned on 24-08-2017. During this period some of the days the appellant was out of his house due to marriage of his niece and some tour programs. The consumption of 8941 unit is not possible use in such a short span.

A parallel meter was installed on submitting a complaint and slight variation was found, and it is normal as per the concerned person. The appellant had deputed an electrician to assist the KSEB employees during the inspection because his parents are staying along with his sister near to the house. It is found that an AC on switched on status, it had consumed 50 units during 5 hrs which is not normal. The appellant had checked with the deputed electrician and he is not known to this matter and the appellant couldn't understand how the KSEB engineers have found the AC has some technical problems. The appellant also appointed an expert engineer authority to find out whether there is any electrical problem on the connection or in home appliances and he got the report from them and that everything is working in a perfect condition. The appellant has produced a copy of the testing report by a Electrical Engineer's firm "DSK electric power".

The appellant came to his home town on December 17<sup>th</sup> and stayed until Jan 6<sup>th</sup>. During this period an inspection was done from the KSEB side with senior engineers. They kept all the lights on and operated all appliances like, AC, Kettle, Water pump, refrigerator, iron box etc. After 1 hr 4 units consumption was found. As per this calculation if the appellant use all these lights and appliances, the consumption will be only 96 units in a day and a period for 60 days it will be only 5760. This is the maximum consumption what the appellant can utilize in this period. Still there is a difference from the raised invoice. The KSEB team couldn't answer about this question.

During the hearing conducted on December 27<sup>th</sup> the appellant explained about the complaint and the inspection done by the senior managers. No one will use all the lights and appliances for 24 hr in a day and 60 days continuously. So it means there was some wrong reading has happened. In that hearing no one was present from the respondent side from Varkala Sub division and judgment says respondent was there.

**Arguments of the respondent:**

As per the consumption pattern of the consumer from 1/2017 to 11/2017, the average consumption from 1/2017 to 7/2017 is 200 units. During the period 1/07/2017 to 01/09/2017 the consumer had consumed 8941 units and for which a bill vide No. 4525170900347 dated 01/09/2017 for Rs. 69,004/- was raised and served to the consumer. Since abnormal reading was noted on 01/09/2017 the Sub Engineer, Sri Abul Hashim had inspected the meter and found that there was no abnormality.

Further on receiving a complaint from Sri Nisam a series 3 phase meter has been installed in the premises on 23/09/2017 with Serial No. 4280691 Make Genus and IR-0. The reading of the old meter and series meter on 23/09/2017 and subsequent readings of meter are shown as same from which it is clear that there is no fault with the existing meter and the matter was informed to the occupier of the premises and they were convinced.

As per the instruction from the office of the Assistant Engineer, Electrical Section, Varkala, the consumer had deputed an electrician to check their installation and after which it was reported by the electrician that when an air conditioner was switched on it had consumed 50 units when operated for 5 hours and this change has

been recorded in both the meters installed in the premises as per meter reading taken on 2/10/2017.

On further scrutiny it was learned that the registered consumer Sri Nisam is an expat staying in Dubai and he had come home along with his family and was staying at the premises during 07/2017 to 09/2017 and they have used all the equipments at the premises along with the defaulted air conditioner and this has caused the high consumption.

As per the direction of Hon'ble CGRF an inspection was conducted on 21/12/2017 at 11.30 AM along with the authorized officer Sri Abul Hashim, Sub Engineer, Electrical Section, Varkala at the premises of consumer No.1145250003311 in the presence of the Sri Nisam A.R who had come again to his native place from Dubai, for attending some family affairs. The load on the premises was 10341 W (Site Mahassar Exhibit-5). For convincing the correctness of the meter fixed at the premises, 2 Nos. air conditioners, 10 Nos. ceiling fan, 1 No LED light, 3 Nos. tube lights, 1 No fridge (Total load of 3820 W) was applied from 12.10 PM to 1.10 PM on 21-12-17 (As the complainant stated in the 3rd line of the 4th paragraph of the complaint, Kettle, Water pump and Iron box did not ON during the inspection). Reading on the existing meter and series meter at 12.10 PM was 11262 kWh and 272 kWh respectively. Reading on the existing meter and series meter at 1.10 PM was 11266 and 276 when a load of 3820 W was applied. Both the meter have recorded 4 units. This was witnessed by Sri Nisam A.R and convinced.

During the course of inspection Sri Nisam had also declared that he was at home along with the family from 04-07-2017 to 24-07-2017 during which the disputed consumption had occurred. From this it is very clear that the existing meter had recorded only the correct consumption and the cause of the heavy consumption recorded during 01-07-2017 to 01-09-2017 might have been removed by the consumer. The consumer till date has not challenged the abnormality of the meter. Therefore it is humbly prayed that the august forum may set aside the complaint of the consumer in favour of KSEBL, as there is no abnormality with the meter.

### **Analysis and findings**

Hearing of the case was conducted on 11-04-2018 in the Conference Hall of Vydhyuthi Bhavanam, Alappuzha. Sri. Nisarudeen S, represented for the appellant and Sri. M Asinan Assistant Engineer in charge of Electrical Sub Division, Varkala represented the respondent's side and adduced his arguments. Hearing the arguments of appellant and respondent, perusing the petition, statement of facts and other documents and considering all the facts and circumstances of the case, this Authority comes to the following conclusions.

The complaint is that the appellant was served with an exorbitant bill for Rs.69004/-, towards electricity charges, alleging consumption of 8941 units in the bi-month from 01-07-2017 to 01-09-2017. The appellant is an expat and occasionally staying in the house. During the disputed billing period appellant

was stayed in the home. Considering the previous consumption pattern of the appellant it is clear that the consumption noted for the disputed period cannot go as high as above, unless there existed some faulty equipments drawing excess power or have connected some additional load like A/C's. Of course, the leakage of current to earth will also consume energy to a certain extent, but the testing done by the respondent and the appellant did not reveal any such earth leakage in the premises.

The first point to be decided is whether the Energy meter provided to the consumer was faulty during the period and whether the consumption of 8941 units recorded in it during that period is genuine or actually consumed by the consumer. It is noted that the disputed energy meter of the appellant was tested, at the consumer's premises, by installing a good energy meter (Check meter) in tandem with the existing meter; so that both meters carry the same electric current and will measure the same energy, consumed by the party. The test so conducted at the site shows that the two meters are recording exactly the same quantum of energy consumption. This fact shows that the meter is working in good condition.

The test being done on the consumer's premises and in his presence is more convincing than any other documentary evidence and would help the appellant to clear his doubts on the existing meter. In this case the test done in the presence of the consumer by KSEB, convinced the appellant and a mahassar on the 'test' done was prepared and the said mahassar so prepared will surely be a valid document before any Legal Forum.

The energy consumption details furnished by the appellant showed that the bimonthly average energy consumption was 200 units for the period from 01/2017 to 07/2017. As per the instruction from the Assistant Engineer, an electrician deputed by the appellant had checked their installation and reported that when an air conditioner was switched on it had consumed 50 units when operated for 5 hours and this change has been recorded in both the meters installed in the premises as per meter reading taken on 2/10/2017.

According to the CGRF, the excess consumption recorded by the meter is found due to the faulty AC working, the licensee is eligible for realizing the energy charges towards the consumption recorded in the meter. Also it is seen that the respondent has taken steps, to check the working of the disputed energy meter, on getting the complaint, which established the perfect functioning of the meter. Two ACs having rating 1800 watts and 1200 watts are seen installed in the premises. The MR on 01-09-2017 is 10940 and 23-09-2017 is 10986. The defect of the AC was informed by an electrician deputed by the appellant that confirmed 50 units for 5 hours while switching on a particular AC. Hence it is revealed that the exorbitant consumption was due to the defect of AC.

As per the direction of the CGRF an inspection was conducted on 21/12/2017 at the premises of consumer in the presence of the Sri Nisam A.R by switching on the ACs and other equipments connecting 3820 watts and both the meter have recorded 4 units for one hour and 10 minutes which is a normal consumption. Hence the appellant argues that there was some wrong reading caused the reading of high consumption during the disputed period. At the same time, the contention of the respondent is that the existing meter had recorded only the correct consumption and the cause of the heavy consumption recorded during 01-07-2017 to 01-09-2017 might have been removed by the consumer.

### **Decision**

In view of the factual position I don't find any reason to interfere with the findings and decision taken by the CGRF, Kottarakkara in this case and hence the order of CGRF is upheld. The appeal is found devoid of any merits and hence dismissed. No surcharge is payable by the appellant for the bill amount for the petition pending period before the CGRF and this Authority. Having concluded and decided as above, it is ordered accordingly. No order on costs.

### **ELECTRICITY OMBUDSMAN**

P/011/2018/ \_\_\_\_\_ /Dated: \_\_\_\_\_

Delivered to:

1. Sri Nisam Abdul Rahman, Puthenveedu, Melvettoor, Varkala, Thiruvananthapuram
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd., Varkala, Thiruvananthapuram

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.