

## STATE ELECTRICITY OMBUDSMAN

Thaanath Building Club Junction Pookkattupadi Road Edappally Toll

KOCHI 682024

[www.keralaeo.org](http://www.keralaeo.org)

Phone 04842575488 +919447226341 Email : info@keralaeo.org

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### REPRESENTATION No: P 104/09

Appellant : Sri K.M Sreedharan,  
Kalavampara House,  
Fort Road,  
KMK Junction,  
N. PARAVUR 683513

Respondent: Kerala State Electricity Board  
*Represented by*  
The Deputy Chief Engineer  
Electrical Circle  
PERUMBAVUR

### ORDER

Sri K.M Sreedharan N. Paravur submitted a representation on 26.10.2009 seeking the following relief:

*Revise the Short Assessment Bill issued by the Assistant Engineer , N.Paravur in August 2009*

Counter statement of the Respondent was obtained and hearing conducted on 13.01.2010.

The Appellant has an LT service connection by No: 15792 under LT VIIA Commercial tariff given to room number VII /75 and VII /76 . On 7.11.2008 officials of KSEB inspected the premises and found that electricity had been extended from the above service to two more rooms in the same building with separate door numbers and to one premises in an adjoining building. The details were recorded in a scene mahazar and duly acknowledged by the representative of the consumer. The representative of the Appellant had acknowledged the unauthorized extension to 3 premises during the hearing also. His grievance was mainly on the methodology of computing the penal invoice.

The undersigned can not entertain this appeal petition due to reasons explained below:

Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005 defines the word 'complaint' as given below:

'Complaint' means any grievance made by a complainant in writing on: -

- (i) defect or deficiency in electricity service provided by the licensee;
- (ii) unfair or restrictive trade practices of licensee in providing electricity services;
- (iii) charging of a price in excess of the price fixed by the Commission for supply of electricity and allied services;
- (iv) errors in billing;
- (v) erroneous disconnection of supply;
- (vi) electricity services which are unsafe or hazardous to public life in contravention of the provisions of any law or rule in force; or
- (vii) any other grievance connected with the supply of electricity by the licensee *except those related to the following:*

(1) *unauthorised use of electricity as provided under Section 126 of the Act;*

(2) offences and penalties as provided under Sections 135 to 139 of the Act and

(3) accident in the distribution, supply or use of electricity under Section 161 of the Act.

Section 126 of the Electricity Act 2003 (as amended in May 2007) defines *unauthorized use of electricity* as given below:

(b) "unauthorised use of electricity" means the usage of electricity –

- (i) by any artificial means; or
- (ii) by a means not authorised by the concerned person or authority or licensee; or
- (iii) through a tampered meter; or
- (iv) for the purpose other than for which the usage of electricity was authorized or
- (V) for the premises or areas other than those for which the supply of electricity was authorized

Under the circum stances explained above and after carefully examining all the evidences, arguments and points furnished by the Appellant and Respondent on the matter, the representation is dismissed without going into the merits of the pleas.

Dated this the 13th day of January 2010.

P.PARAMESWARAN  
Electricity Ombudsman

No P104 /09/ 468 / dated 13.01.2010

Forwarded to: 1. Sri K.M Sreedharan,  
Kalavampara House,  
Fort Road,  
KMK Junction,  
N. PARAVUR 683513

2. Deputy Chief Engineer  
Electrical Circle  
PERUMBAVUR

Copy to :

1. The Secretary,  
Kerala State Electricity Regulatory Commission  
KPFC Bhavanam, Vellayambalam,  
Thiruvananthapuram 695010
2. The Secretary ,KSE Board,  
VaidyuthiBhavanam ,Thiruvananthapuram 695004
3. The Chairman , CGRF,KSE Board ,  
Power House ERNAKULAM