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**APPEAL PETITION No. P/026/2021**  
**(Present: A.S. Dasappan)**  
**Dated: 06<sup>th</sup> September 2021**

Appellant : Sri. Ummer. M.,  
 Melathil House,  
 Kadungoth,  
 Koottilangadi,  
 Malappuram Dist. – 676 506

Respondent : Asst. Executive Engineer,  
 Electrical Sub Division, KSEB Ltd.,  
 Pulamanthol, Malappuram Dist.

**ORDER**

**Background of the case:**

The appellant is a Low Tension (LT) consumer of Electrical Section, Makkanparamba with consumer number 1165653001014 having a connected load of 4104 watts. The appellant installed an ‘On-Grid Solar Plant’ and connected to the Grid of KSEB Ltd. on 09-03-2018. The appellant received an electricity bill for Rs.84,028/- on 13-11-2020, which was brought to the notice of officials of Licensee and further filed petition before the Consumer Grievance Redressal Forum (CGRF), Northern Region vide OP No. 93/2020-21 with a request to exempt from remitting the bill amount. The Forum limited the period of assessment of the bill for 12 months from 20 months. Not satisfied with the decision of the Forum, the appellant filed this appeal petition P026/2021 before this Authority.

**Arguments of the appellant:**

On 09-03-2018, the appellant installed a solar power plant having a capacity of 3 kW “On Grid Solar Connection Scheme” and supplying excess generated power to KSEB Ltd. The officials of KSEB Ltd. have been taking meter

reading in each month and issuing electricity bill by "Email". The received bills are being remitted by the appellant without any default.

The appellant received an electricity bill for Rs.84,028/- on 13-11-2020 with due date for remittance on 07-12-2020. The reason stated by the appellant for issuing such a bill was that the import and export reading of the energy meter was interchanged for the period from 22-03-2019 to 10/2020. This was happened due to the lapse of the employees, who took the meter reading. The appellant sent application to the Deputy Chief Engineer, Electrical Circle, Manjeri and Chairperson, Consumer Grievance Redressal Forum (CGRF), Kozhikode intimating the appellant's incapability to remit such an exorbitant bill. The CGRF issued order to remit the amount for one year, but the amount is not known to the appellant. As such the appeal petition is filed for exempting the appellant from paying the bill or to reassess for a minimum amount with installment facility.

**Arguments of the respondent:**

The argument of the respondent is as follows: -

The appellant installed 3 kW of solar power on Grid on 09-03-2018. Prior to the installation of solar power, the bimonthly average consumption of the appellant was nearly 581 units.

After the solar plant installation, the consumption for first six months is detailed below:



From the above data, it is evident that the appellant's solar consumption is very low and it seems that the appellant utilized more power from KSEB Ltd. It is pertinent to note that the monthly average consumption of the appellant is 402 units and after deducting their solar consumption, it comes nearly 300 units.

Analyzing the solar power production history of the above said period, the monthly average is below 104 units. The above fact emphatically proves that the appellant consumes more power from KSEBL. It is true that the appellant has remitted their current charges according to the demand issued by the Board.

The case on hand is the result of the issuance of the demand for Rs.84,028/-, which is the under charged amount for the period from 22-03-2019 to 10/2020. While recording the monthly reading of the appellant for the month of 10/2020, it is noticed that the import and export readings were interchanged. At once, the above matter was brought to the notice of the Board/ORUMA Team Support through e-mail.

As per the direction received from the ORUMA Support Team, MIS, KSEBL, the monthly bills for the period from 22-03-2019 to 10/2020 was revised and on revision a demand for an amount of Rs.84,028/- has been issued to the appellant on 13-11-2020.

By virtue of Regulation 134 of Kerala Electricity Supply Code 2014, “if the Licensee establishes either by revised or otherwise, that it has undercharged the consumer, the Licensee may recover the amount so undercharged from the consumer by issuing a bill and in such cases at least 30 days shall be given to the consumer for making payment of the bill.”

The above demand issued to the appellant with the support of Regulation 134 of Kerala Electricity Supply Code 2014 is carte-blanche to the KSEBL for the energy consumption by the appellant from 22-03-2019 to 10/2020. Due to above revision, the eligibility of solar incentive sanctioned during the month of September 2020 stands cancelled and the amount of Rs.8,177/- was already credited during the month of January 2020 to be realized from the appellant. The respondent prayed that; permission may be granted to realize the excess amount credited to the account of the appellant as per rules prevailing.

For the foregoing reason, it is prayed that the Authority may be pleased to dismiss the complaint.

**Analysis and findings:**

An online hearing of the case was conducted at 11 AM on 25-05-2021 with prior intimation to both the appellant and the respondent. The appellant Sri.Ummer. M. and Sri. Omanakuttan, Assistant Executive Engineer, Electrical Subdivision, Pulamanthol from the respondent's side attended the hearing. On examining the petition, the counter statement of the respondent, the documents attached and the arguments made during the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decision thereof.

The appellant installed a solar power plant having a capacity of 3 kW under "on-grid solar scheme". The electricity generated in the solar plant is partially or completely used by the appellant and avails from the KSEB Ltd. for meeting the excess power requirement. If the solar energy generated is more than the requirement of the appellant, the excess power will go to the KSEB Ltd.'s grid. The energy meter installed in the premises is having the facility of recording the availing energy from KSEB Ltd.'s grid (imported energy) and facility of sending solar energy to the KSEB Ltd.'s grid (exported energy). The appellant is paying energy charge for the difference in export energy and import energy, if import energy is higher than the export energy.

The appellant's grievance is that a bill for Rs.84,028/- was issued by the respondent towards the short assessment of energy charge for the period from 03/2019 to 10/2020 stating the reason that the export and import meter readings were became interchanged. The appellant wants either to cancel the bill amount of Rs.84,028/- or to a minimum amount with installments.

The respondent admitted that the export and import meter readings got interchanged and revised the bill taking the actual meter readings; thereby an excess bill was prepared. As per appellant, the excess bill amount is to be realized from the appellant in accordance with Regulation 134 of Kerala Electricity Supply Code 2014. An amount of Rs.8,177/- was credited to the account of the appellant towards the solar incentive for the month of September

2020. As per respondent, the error in entering the import and export meter readings interchanged in the month of 03/2019 and the error noticed only in 10/2020.

The meter reading entries prior and after 03/2019 and prior and after 10/2020 are furnished below: -

Month	Import Reading	Export Reading	Import energy	Export energy
12/2018	3555	1369	-	-
01/2019	4377	1553	422	184
02/2019	4673	2961	296	1408
03/2019	1930	5483	Interchanged	
04/2019	1972	5961	42	478
05/2019	2119	6819	147	858
..	..	..	..	..
..	..	..	..	..
..	..	..	..	..
07/2020	4176	15027	-	-
08/2020	4255	15735	79	708
09/2020	4418	16716	163	981
10/2020	16910	4478	Noticed error and corrected	
11/2020	17509	4573	590	95
12/2020	18081	4849	572	276

On verifying the above details, it can be observed that error in recording the import and export meter reading occurred in 03/2019. The team comprising of meter readers and billing officials entrusted by the Licensee to check the correctness of the meter readings and billing and if any doubt, which had to be brought to the notice of the competent officials for an inspection. In this case, the appellant was using energy more than the energy generated by him for the period from 03/2018 to 02/2019. The concerned official had to check the reason how that much energy exported, while observing the meter reading from 03/2019 or in the next month. The lapses on the part of the employees of Licensee were discussed by the CGRF in its order.

**Decision: -**

From the conclusion arrived at as detailed above, I decide to accept the observations made by the CGRF, Northern Region and hence, upheld the decision taken by the Forum in OP No. 93/2020-21. The appellant is exempted from remitting interest or surcharge for the disputed amount or the revised amount as per the order of CGRF in the petition pending period before CGRF, Northern Region and the appeal petition pending period before this Authority.

Having concluded and decided as above, it is ordered accordingly. No order on costs.

**ELECTRICITY OMBUDSMAN**

P/026/2021/\_\_\_\_\_ dated \_\_\_\_\_.

**Delivered to:**

1. Sri. Ummer. M., Melathil House, Kadungoth, Koottilangadi, Malappuram Dist. – 676 506
2. Asst. Executive Engineer, Electrical Sub Division, KSEB Ltd., Pulamanthol, Malappuram Dist.

**Copy to:**

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthi Bhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, Vydhyuthi Bhavanam, KSE Board Ltd, Gandhi Road, Kozhikode