

THE STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION No. P/065/2021**(Present: A.S. Dasappan)****Dated: 10th January 2022**

Appellant : Sri. Jaimon Thomas
Narippara Veedu,
Moozhoor P.O.,
Kottayam Dist.

Respondent : Asst. Executive Engineer,
Electrical Sub Division, KSEB Ltd.,
Ponkunnam, Kottayam Dist.

ORDER

The appellant is a single-phase domestic tariff category consumer of Electrical Section, KSEB Ltd., Kooroppada with consumer number 1157495007113. The appellant received the usual bimonthly electricity bill on 26-06-2020 amounting to Rs.3,327/- for an energy consumption of 741 units. As per appellant there are no electrical equipments like Fridge, TV, Washing machine, Iron box etc. The appellant remitted Rs.530/- for the month of 04/2020 and the same amount was remitted for 06/2020 against the bill amount of Rs.3,327/-. The appellant requested the Assistant Engineer, Electrical Section, Kooroppada on 29-06-2020, 30-10-2020 and 09-11-2020 for a revision of the bill amount for an average consumption of 120 units. Since no action was taken by the Assistant Engineer on the subject, the appellant filed a petition before the Consumer Grievance Redressal Forum (CGRF), Southern Region, Kottarakkara vide OP No. 41/2021, but the Forum rejected the petition vide order dated 07-09-2021 with an instalment facility. Not satisfied with the order of the Forum, the appellant filed this Appeal Petition before this Authority.

The argument of the respondent is as follow:

The appeal is regarding the alleged excess current charge as per the meter reading recorded on 06/2020.

The meter reading of the premises could not be taken for the month of 04/2020 due to Lock Down under covid pandemic break out and D/L bill amounting Rs.530/- based on average consumption was issued to the appellant as done to all consumers. While taking meter reading in 06/2020, consumption of the appellant comes about 741 units, amounts Rs.3,327/-, out of which Rs.1,443/- was the D/L adjustment for the month of 04/2020 and entered in the bill as arrear. The appellant refused to pay the bill and challenged the bill & paid only Rs.530/- during 06/2020 also and argued that the appellant has no arrear during 04/2020. Notice was issued to the appellant to submit application for check the accuracy of the meter in the testing lab at Pallom. But the appellant did not submit application for that purpose or remit required fees.

In the petition, the appellant contended that the bills during 04/2020 and 06/2020 were issued by the Licensee was an exorbitant bill and he is not using high energy consuming appliances such as refrigerator, television, washing machine, iron box etc. in the house, so there is no possibility for such an excessive consumption of energy.

The appellant challenged in the complaint that the appellant was not bound to pay the current charge during the lockdown period from 04/2020 to 06/2020. The bills during 04/2020 and 06/2020 were issued to the appellant as per the regulations of Electricity Supply Code 2014. The appellant is entitled to pay the average bill during lock down period as per Regulation 125(1) of Supply Code 2014.

As per the regulation 113 (1) of the Kerala Electricity Supply Code 2014 states "It shall be the responsibility of the Licensee to satisfy itself regarding the accuracy of the meter before it is installed and the Licensee shall test it or get it tested in an accredited laboratory or in an approved laboratory. Hence, the energy meter was tested in the Meter Testing Unit, TMR, Pallom and found that the meter is in good working condition.

On the basis of the above, it is prayed that this State Electricity Ombudsman may be pleased to accept this version and to dismiss this appeal petition with costs to KSEB Ltd.

Analysis and findings:

An online hearing was conducted at 3 PM on 05-01-2022 with prior intimation to both the appellant and the respondent. Sri. Jaimon Thomas attended the hearing for the appellant and Sri. Mathewkutty George, Assistant Executive Engineer, Electrical Subdivision, Ponkunnam attended the hearing from the respondent's side. On examining the petition, the counterstatement 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 grievance of the appellant in this appeal petition is that the electricity bill prepared and issued by the respondent for an energy consumption of 741 units for two bi-months from 02/2020 to 06/2020. The appellant argued that no electrical equipments like Fridge, TV, Washing Machine, Iron Box etc. in the premises and hence, there is no possibility of such a high consumption in the said period. Also, the appellant requested to revise the bill for an average consumption of 120 units per bi-month.

According to the respondent, the energy meter was tested in the Meter Testing unit of TMR Division, Pallom and found the error of the meter is within the limits and hence, the appellant has to remit the amount.

On perusing the document file, it is seen that a notice was issued to the appellant on 18-09-2021 following the order issued by the CGRF, Southern Region for an amount of Rs.2,366/- after deducting the amount remitted by the appellant and the "Covid-19 subsidy" allowed by the Licensee. In the appeal petition filed by the appellant, it is stated that the amount to be remitted by him is Rs.2,090/- after deducting the remitted amount, Covid-19 subsidy, excess security deposit and interest on security deposit.

The respondent produced the bimonthly consumption statement from 12/2015 to 06/2021. The bimonthly consumption varies between 76 units and 228 units except in the period from 22-02-2020 to 22-06-2020, which is 741 units

for two bi-months. The energy meter was tested in Meter Testing Laboratory of TMR Division, Pallom on 12-08-2021 and found the meter complied with the requirements of the standard in the tests. No abnormality was identified by the Licensee or by the appellant in the premises, which led to the higher consumption. The connected load in the premises is 860 watts.

The CGRF, Southern Region analyzed the case in detail with relevant Regulations of Kerala Electricity Supply Code 2014. The consumption recorded from 22-02-2020 to 22-06-2020 is not found as a consumption recorded by way of any leakage of electricity since both the appellant and the respondent have no such remarks and could not find any evidence for the same.

Decision: -

In view of the discussions as above, it is decided as follows:

The appeal petition filed by the appellant stands dismissed. The order of CGRF, Southern Region dated 07-09-2021 in OP No.41/2021 is upheld. The respondent shall not realize any interest on surcharge for the balance bill amount to be remitted by the appellant in the period of petition pending before CGRF, Southern Region and the appeal petition before this Authority.

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

ELECTRICITY OMBUDSMAN

P/065/2021/ _____ dated _____.

Delivered to:

1. Sri. Jaimon Thomas, Narippara Veedu, Moozhoor P.O., Kottayam Dist.
2. Asst. Executive Engineer, Electrical Sub Division, KSEB Ltd., Ponkunnam, Kottayam 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, Kottarakkara - 691 506.