

THE STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION No. P/002/2022**(Present: A.S. Dasappan)****Dated: 17th March, 2022**

Appellant : Sri. M.V. Kunjukunju,
Mazhuvancherry Parambathu House,
Cherai. P.O.,
Ernakulam Dist. 683 514

Respondent : Assistant Executive Engineer,
Electrical Sub Division, KSEB Ltd.,
North Parur, Ernakulam Dist.

ORDER**Background of the case:**

The appellant is a consumer of Electrical Section, KSEB Ltd., Cherai with consumer number 1156052009563 and the connection was provided to the appellant on 20-08-1998 under the tariff category LT VIIB. The connected load in the premises is 180 watts. The appellant received an electricity bill dated 13-10-2020 for an amount of Rs.4,075/-, which is shown as arrears, with previous and present meter reading status as "Door lock". The appellant filed a petition before CGRF, Central Region vide OP No. 32/2021-22 and the Forum dismissed the petition issuing order dated 10-12-2021.

Aggrieved by the decision of the Forum, the appellant filed the appeal petition before this Authority.

Arguments of the appellant:

The shop, where the electric connection provided and which owned by the appellant was rent out for 6 years from the year 1998 and electricity bills were remitted regularly in the period. As per appellant, the reading seen in the meter is the consumption recorded in the said period. After vacating the shop, the appellant has been remitting the fixed charge regularly. The appellant suspects errors were occurred to the Licensee while entering the meter reading in the period of computerisation of billing. As such, the appellant wants exemption from the remittance of Rs.4,075/-

Arguments of the respondent:

As per the Oruma records, the initial reading was '1' on 18.11.2008. The shop was under "door lock" till 11.12.2020. On 11.12.2020, the shop was opened and the meter reading taken was 718 kwh and issued bill for Rs. 4075/. The meter is the same since the supply effected on 21.8.1998. Now the reading is 718 kwh and hence, the appellant is liable to pay the energy charge. As per the records available in the office, the appellant is remitting the minimum charge.

Analysis and findings:

The hearing of the case was conducted on 25-02-2022 in the office of Electricity Ombudsman, Edappally, Kochi. Sri. M.V. Kunjukunju, the appellant and Smt. Asha. K.S., Assistant Executive Engineer, Electrical Subdivision, KSEB Ltd., North Parur from the respondent's side attended the hearing. On examining the appeal petition, the arguments filed by the appellant, the statement of facts of the respondent, perusing the documents attached and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decision thereof.

According to the appellant, the premises was occupied for 6 years from the year 1998 and unoccupied for the remaining period. The electricity bills issued in the period of 6 years were remitted and fixed charge for the remaining period is being remitted by the appellant. The consumption seen recorded in the meter for 718 units is the consumption in the premises of the rent-out period and the bills issued by the Licensee were remitted by the appellant. The Licensee has no records pertains to the consumption in the premises.

According to the respondent, the shop was closed from the period 2008 to 2020. On 10-12-2020, the shop was opened and the reading was taken, which comes to 718 units. As such, the appellant is liable to remit the bill amount of Rs.4,075/-.

The respondent submitted the meter reading history from 11-12-2015 to 09-08-2021. The meter reading on 11-12-2015 is 1, which continued up to 13-10-2020 and the meter reading on 11-12-2020 is 718 units from 11-12-2020 to 09-08-2021, there was also no energy consumption in the premises. The view of this Authority is that the meter reading in the premises of the appellant is not a convincing one. Moreover, the appellant has been remitting the minimum charge demanded by the Licensee without any default of payment. The respondent also agreed that the shop remains closed and unoccupied.

Even though the shop was closed, the Licensee had not initiated any action to take meter reading by issuing "Door Lock Notice" in accordance with the relevant regulations of Kerala Electricity Supply Code 2014. Without ascertaining whether remittances of the energy charge for the consumption recorded in the meter was made, realization of the bill amount from the appellant is not sustainable. Licensee has no materials to show that the appellant had not paid the bill amount for the consumption of 717 units. Since the service connection was provided in the premises in the year 1998, the entry of 'Initial Reading' of the meter dated 11-12-2015 is suspicious. As such, the bill issued to the appellant is not sustainable before law.

Decision: -

From the discussions and conclusions arrived at as above, I decide to quash the electricity bill for Rs.4,075/- issued to the appellant.

Having concluded and decided as above, it is ordered accordingly. The order of CGRF, Central Region, Ernakulam in OP No.32/2021-'22 dated 10-12-2021 is set aside. No order on costs.

ELECTRICITY OMBUDSMAN

P/002/2022/ _____ dated _____.

Delivered to:

1. Sri. M.V. Kunjukunju, Mazhuvancherry Parambathu House, Cherai. P.O., Ernakulam Dist. 683 514
2. Assistant Executive Engineer, Electrical Sub Division, KSEB Ltd., North Parur, Ernakulam 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, CGRF-CR, 220 kV Substation Compound, KSE Board Limited, HMT Colony P.O., Kalamassery, PIN: 683 503.