

STATE ELECTRICITY OMBUDSMAN

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REPRESENTATION No: P 115/09

Appellant : Dr Cyriac Kurian
Pandarakalam
Thavalakuzhi
ETTUMANUR 686631

Respondent: Kerala State Electricity Board
Represented by
The Assistant Executive Engineer
Electrical Sub Division ETTUMANUR 686631

ORDER

Dr Cyriac Kurian, Pandarakalam, Thavalakuzhi, Ettumanur submitted a representation on 16.12.2009 seeking the following relief:

Since the Meter reading is arbitrary, exorbitant and the amount of bill dated 24.07.2009 is very high the bill may be cancelled and appropriate decision taken

Counter statement of the Respondent was obtained and hearing conducted on 10.3.2010. The Appellant had an LT connection 357 under Athirampuzha Section. The service was being used for construction purposes under LT VII A tariff. The reading of the consumer for July 2009 was found to be very high when compared to other months which resulted in a spot bill for Rs 30291/- dated 24.7.2009. The consumption for the bimonth was seen to be 3408 compared to average consumption of 104 units on previous occasions. The Appellant filed a complaint before the Assistant Engineer on 25.7.2009 stating that the meter is indicating excessive reading and the bill is exorbitant. The site was inspected by the Assistant Engineer on 27.7.2009 and a scene mahazar was prepared. They also confirmed the correctness of the reading and the bill. The Appellant approached the CGRF Kottarakkara. The CGRF upheld the action of the KSEB. The representation with the pleas noted above is submitted to the under signed in the above back ground.

The issues to be decided in this case are the correctness of the reading and the bill. The scene mahazar prepared on 27.7.2009 provides some clear and specific observations: The Meter and the associated equipments were installed on a temporary stand in a shed due to construction works. The meter LED pulse display was working without any loads connected. The LED display stopped when the outgoing terminal connection of the meter was disconnected. Insulation inside the main switch was seen burnt and damaged on examination. The conclusion of the scene mahazar that the meter had been working due to earth leakage seems to be correct.

During hearing it was revealed that the Appellant had been staying a few KM away and the construction work was handled by contractors. The whole outdoor installation had been left unattended and it was obviously not maintained properly.

It is seen that the complaint of the Appellant had been properly attended in time. But the Respondent did not hand over a copy of the scene mahazar to the complainant. The Assistant Engineer also failed to provide a written reply to the Appellant. These are serious lapses. When a consumer is served with such abnormal demands the Licensee has the basic duty to convince the correctness of the demand to the consumer. The Respondent and the staff under him have failed to discharge this basic responsibility. However since the installations in the premises were not maintained properly and electricity had been wasted / misused, the Licensee can ask for compensation by way of current charges.

The request of the Appellant to apply lower tariff can not be accepted since the appropriate tariff for construction purposes is LT VIIA. The contention of the Appellant that the meter could have gone wrong for the particular period is also not supported by evidence.

Hence the demand issued by the Respondent shall be upheld.

Considering the fact that the Respondent had not taken proper action to convince the consumer on the abnormal bill and taking a lenient view on the matter the Appellant shall be discharged from paying interest on the claim.

Orders:

Under the circumstances explained above and after carefully examining all the evidences, arguments and points furnished by the Appellant and Respondent on the matter, the representation is disposed off with the following orders:

1. *The Appellant is liable to pay the current charges demanded as per Bill no: 49093 dated 24.7.2009 .Installments may be allowed as per standards.*
2. *Interest shall not be realized for the above demand if the Appellant pays the amount /commence payment of installments within 30 days from the date of this order.*
3. *No order on costs.*

Dated this the 11th day of March 2010 ,

P.PARAMESWARAN
Electricity Ombudsman

No P 115 /09/ 518 / dated 11.03.2010

Forwarded to: 1. Dr Cyriac Kurian
Pandarakalam
Thavalakuzhi
ETTUMANUR 686631
2. The Assistant Executive Engineer
Electrical Sub Division ETTUMANUR 686631

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 , VaidyuthiBhavanam Kottarakkara