

## STATE ELECTRICITY OMBUDSMAN

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### REPRESENTATION No: P 151/10

Appellant : Dr Rahul George,  
Kadiyanthuruthil , Thrikkothamangalam  
Puthuppally Kottayam Dt

Respondent: Kerala State Electricity Board  
*Represented by*  
The Assistant Executive Engineer  
Electrical Sub Division, Thengana, Kottayam Dt

### ORDER

Dr Rahul George, Kadiyanthuruthil , Thrikkothamangalam submitted a representation on 30.6.2010 seeking the following relief :  
*Set aside the order dated 3-5-2010 (of the CGRF Kottarakkara ) and allow the OP submitted by the applicant.*

Counter statements of the Respondent was obtained and hearing conducted on 11.11.2010. The Appellant submitted an argument note on 15.11.2010.

The Appellant is an LT industrial Consumer under Electrical section Vakathanam with connected load of 46 KW. A bill amounting to Rs 114240/- was issued to the Consumer on 10/12/2009 by the Respondent based upon an inspection conducted by APTS wing on 26/11/2009. During the inspection it was revealed that the three current transformers (CT) used in the premises was 200/5 ratio and the correct multiplication factor has to be 40. But a multiplication factor of 20 only had been taken for the billing. The Respondent had reassessed the Consumer from 12/2006 to 10/2009 since the multiplication factor was wrongly applied from December 2006 when the meter was changed on 27/12/2006

The Appellant agitated against the demand stating that the demand is arbitrary and the Licensee has no power to revise the bills for the correction of a mistake. The period for which the demand is made is also disputed by the Appellant. He also stated that

regulation 42 of the KSEB terms and conditions is not applicable in this case. Hence the Appellant claimed that he is not liable to pay any amount as per the demand notice.

The Respondent has produced an extract of the meter reading register. It is seen that the multiplication factor was taken as 20 after the change of meter on 27/12/2006. The meter reading register do not have any entry of further change of meter after the said date. Hence the claim that the meter installed on 27/12/2006 and used there after had multiplication factor of 40 is seen to be correct. As such the assessment from 27/12/2006 deserves to be corrected with correct multiplication factor and the short assessment made by the Respondent is justified. As per clause 37(5) of the Terms and Conditions of Supply of KSEB the Board is empowered to recover the amounts undercharged from the consumer by issuing a bill if they could establish that a Consumer had been under charged either by review or other wise .In this case it is seen that the assessment from 12/2006 to 10/2009 was only 50% of the legitimate amount payable by the Consumer. The argument raised by the Appellant that the Regulation 42 of the Terms& Conditions of Supply is not applicable here is not relevant since the Respondent had not claimed to be applying the said Section here.

It is deplorable the officials of the KSEB committed serious error in ascertaining and recording the actual CT ratio from December 2006 onwards. The hardships to the consumer could have been avoided if the correct multiplication factor had been applied from December 2006. Hence the Respondent shall not be entitled to demand any interest for the period from December 2006 to November 2010 for the dues . Interest shall be realized only if the consumer do not pay the dues in lump sum or in mutually acceptable number of installments within one month from the date of this order.

The management of the licensee is expected to take appropriate action against to the officials responsible as pointed out by the CGRF.

#### Orders:

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 disposed off with the following orders:

1. *The arguments/claims/points raised by the Appellant in support of the reliefs sought for are devoid of merit and hence the reliefs are not allowed and the representation is dismissed*
2. *No order on costs.*

Dated this the 18th day of November 2010 ,

P.PARAMESWARAN  
Electricity Ombudsman

No P 151 /2010/ 708 / dated 18.11.2010

- Forwarded to: 1. Dr Rahul George,  
Kadiyanthuruthil , Thrikkothamangalam  
Puthuppally Kottayam Dt
2. The Assistant Executive Engineer  
Electrical Sub Division, Thengana, Kottayam Dt

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 , Kottarakkara

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