#### THE STATE ELECTRICITY OMBUDSMAN

Charangattu Bhavan, Building No.34/895, Mamangalam-Anchumana Road, Edappally, Kochi-682 024

www.keralaeo.org Ph: 0484 2346488, Mob: 91 9539913269 Email:ombudsman.electricity@gmail.com

APPEAL PETITION No. P/069/2018 (Present: A.S. Dasappan)

Dated: 4th December 2018

Appellant : General Secretary

Ponnani Chamber of Commerce, Chamber Building, Main Road, Ponnani, Malappuram - 679 577

Respondent : The Assistant Executive Engineer,

Electrical Sub Division, KSE Board Ltd, Ponnani,

Malappuram

### **ORDER**

## **Background of the case:**

The appellant is the General Secretary of the Chamber of Commerce, Ponnani and represents a group of 12 LT industrial consumers under Electrical Section, Ponnani. The Audit team of Regional Audit Officer, Tirur conducted an inspection during the period from 25-09-2017 to 31-10-2017 and found that the consumers were issued with undercharged bills from 1/4/2014 to 31/3/2017. Accordingly the consumers were issued with short assessment bills. Aggrieved by this, the appellant had approached the CGRF (NR) by filing a petition in OP No. 189/2017-18. The Forum analysed that there was a short realization of revenue in both the current charges and OYEC-ECSC charges and directed the respondent to review the short assessment bills for short collection in current charges and OYEC-ECSC charges and to prepare fresh short assessment bills for each consumer. Aggrieved against this, the appellant has submitted this appeal petition before this Authority.

# **Arguments of the appellant:**

The appellant represents a group of 12 consumers affected by the unfair act of the respondents. The appellant is provided with electricity connection by the respondents under LT IV via commercial tariff. The appellant was always very prompt in remitting the charges as against the bills issued to him from time to time. While so, the Regional Audit Office, Tirur conducted an audit covering period from 01.04.2014 to 31.03.2017 as part of internal audit conducted from 25.09.2017 to 31.10.2017 on the premises of the appellant and prepared a mahassar. It stated that the ToD meters installed on the premises were not recording the consumption properly due to an alleged software issue and hence, the appellants were under charged. Based on aforesaid mahassar, the respondent issued a demand notice for an amount of Rs. 3,29,473/- being the short assessed amount on account of the faulty meters, for the period of 36 months. Without properly considering the contentions raised by the appellant, the CGRF was pleased to dismiss the said complaint. Moreover, the Court directed the respondents to conduct the audit again and find the correct amount that was due to the respondent as the initial amount due was found to be incorrect.

2

- A. At the outset, it is respectfully submitted that the demand made by the respondent is not legally sustainable. The respondents' act of issuing a demand notice to the appellant is in clear violation of Regulation 18 of the Kerala Electricity Supply Code, 2005. Regulation 18 reads that..."the licensee-shall not recover any arrears after a period of 2 years from the date when such sum became first due, unless such sum has been shown continuously in the bill as recoverable as arrears of the charges of electricity supplied".
- B. In the present case, the respondent issued the demand notice after 36 months from the date of calculation of arrears. This clearly is in contravention of the Code, 2005 that stipulates that the licensee should not recover arrears after a period of 2 years.
- C. Appellant was allegedly undercharged due to the replacement of the meters. The meters were faulty and were not recording the consumption units accurately. The respondent had a duty to ensure that the meters they installed were in good condition. Negligence on the part of the respondents had created unwanted burden for the appellant.
- D. It is surprising to learn that the person employed by KSEB were not able to calculate the correct amount due to the appellant. The CGRF justified that the error was due to sophisticate methodology in the TOD meters installed. This speaks itself that the respondents were not keen to properly assess and calculate the accurate amount due from the appellant. In addition, it can equally be thought that the respondent might have over charged the appellant as the respondents could not present a legible calculation of the short amount.

# Nature of relief sought for:

To set aside the order passed by the CGRF, Northern Region, Kozhikode, in OP No 189/2017-18 dated 09.07.2018 and grant the reliefs sought for in the said complaint.

### **Arguments of the respondent:**

- 1. The appellants are not a single consumer under this section. They are group of 12 consumers and the complaint filed by Ponnani Chamber of Commerce. They are live consumers under Electrical Section, Ponnani. They are highly power consuming entrepreneurs running lucrative business using above 20KW of connected load and categorized under LT-IV Industrial tariff and ToD metering consumers who are comprised of a major portion of demand of this office.
- 2. The averment of the appellants that the ToD meter was not recording the reading properly is not true. The installed ToD meters of the premises of the appellants are properly working. The short assessment occurred in this case is due to the calculation mistake. It occurred while wrongly calculated the bills manually but later accurately done through system software.

As per the regulation 134 of Kerala Electricity Supply code 2014, such short assessment is permitted on undercharged cases.

The Audit team from Regional Audit Office, Tirur, examined the system and manual records covering the period from 1-04-2014 to 31-03-2017 as part of internal audit conducted and verified all records including the manual and system calculated demand and remittance there on as LT-IV ToD consumers. On their verification some shortages were found in the calculation of monthly demand bills against these appellants. So based on this audit finding, short assessment bills were issued to the consumers concerned with proper acknowledgement and sufficient time span for remittance as envisaged on Kerala Electricity Supply Code 2014, Regulation 134.

3. During internal audit session of the Regional Audit Officer, Electrical Circle Tirur, the team verified the appellant's demand and collections both in the system and manual register as a routine basis, found the difference of amount calculated from 4/2014 to 12/2016 depending up on ToD meter reading register. During assessment period refund of excess charged bill and realization on short charged bill done compared with system calculation and remittance and finally arrived at the amount to be realised as follows.

Gran	nd Total		Rs.	329473	
15.	Con. No. 1098	_	Rs.	9,785	from 4/2014 - 12/2016)
				-	(Shortage on regular CC
14.	Con. No. 1116	_	Rs.	10,360	from 4/2014 - 12/2016)
				ŕ	(Shortage on regular CC
13.	Con. No. 27952	_	Rs.	50,268	from 4/2014 - 12/2016)
				,	(Shortage on regular CC
12.	Con. No. 62	_	Rs.	15,674	from 4/2014-12/2016)
11.	3311, 110, 01		100.	10,000	(Shortage on regular CC
11.	Con. No. 61	_	Rs.	16,886	from 4/2014-12/2016)
10.	0011, 110, 1107		100.	11,212	(Shortage on regular C C
10.	Con. No. 1157	_	Rs.	41,212	from 4/2014 - 12/2016)
9.	COII. NO. 3031	-	1/5.	19,730	(Shortage on regular CC
9.	Con. No. 5631	_	Rs.	19,750	(ECSC on Connected Load changes from 48 KW to 63 KW on 30-10-2015)
8.	Con, No. 281	_	Rs.	35,249	from 4/2014 - 12/2016)
0	Con No 001		Da	25 040	(Shortage on regular CC
7.	Con. No. 10261	-	Rs.	20,895	from 4/2014 - 12/2016)
7	Car No 10061		D.	00.005	(Shortage on regular CC
6.	Con. No. 8706	_	Rs.	19,750	from 37 KW to 70KW on 30-10-2015)
	O N 0706		ъ	10.750	(ECSC on Connected Load changes
5.	Con. No. 8706	_	Rs.	35,094	from 4/2014 - 12/2016)
_	O N 0705		ъ	05.001	(Shortage on regular CC
4.	Con. No. 5632	_	Rs.	19,750	from 37 KW to 55 KW on 3-08-2015)
			_		(ECSC on Connected Load changes
3.	Con. No. 5632	_	Rs.	4,560	4/2014 - 12/2016)
					(Shortage on regular CC from
2.	Con. No. 8595	_	Rs.	19,750	from 37KW to 55KW on 3-08-2015)
					(ECSC on Connected Load changes
1.	Con. No. 8595	_	Rs.	10,490	from 4/2014 - 12/2016)
					(Shortage on regular CC

- 4. The consumers approached before the CGRF (N), Kozhikode, and the complaint was admitted as OP 189/17-18. Proper hearing was done with both parties.
- 5. The CGRF issued final order by asking to review the short assessment bills for short collection in current charges and OYEC-ECSC charges and prepare fresh short assessment bill for each consumer with in 15 days of receipt of the order. It was also instructed by the Forum that if the revised amount exceeds the original amount the consumer shall remit the original bill amount and if less, the revised amount shall be remitted by the consumer.

Accordingly, direction received from the Board's Law Section vide No. (DD & IT) No. 358/2018 (LE.IV/5053/2018), the short assessment bills were revised in accordance with the CGRF's direction and issued on each consumer those included in this case.

The short assessment bills in this case is prepared and issued on the basis of the prevailing Supply Code Regulation 134. It is also based on the

audit findings. It is the undercharged amount against the energy that was consumed by the consumers of this case.

It has been permitted by the regulation 134 of Kerala Electricity Supply Code 2014, for realizing the short collected amount from the consumers. The ToD Meters installed in the premises of the consumers are not faulty. The bill is issued on the basis of calculation error, not due to the meter fault The ToD billing were introduced recently and initially it was calculated manually from the section office by incorporating the ToD readings. Later the process was computerized. The audit was carried out in this regard and found out the manual error, hence the bill.

## Analysis and findings:

The hearing of the case was conducted on 14-10-2018 in the office of the Electricity Ombudsman, Edappally, Kochi and Sri. Shihabudheen T, Advocate represented for the appellant's side and Sri Mohammed Basheer, Assistant Executive Engineer, Electrical Sub Division, Ponnani appeared for the respondent's side. On examining the petition and 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 conclusions leading to the decision.

The appellant represents 12 consumers having electric connections in industrial tariff (LT IV). Among them eight consumers received short assessment bills pertains to use of electricity, one consumer for ECSC charge and others for both. All consumers are in the category of connected load based billing. Six consumers made variation in connected load to higher level in between 4/2014 and 12/2016. All the consumers remitted their usual bill in the disputed period from 04/2014 to 12/2016. The short assessment bill comprises of Electricity Charge, Duty, Demand Charge and Meter Rent. The respondent produced statement of the remittance of electricity charge by the consumers from 04/2014 to 12/2016 as per the system generated values. Also they produced the statement of newly generated demand of 11 consumers as per the Audit Report which shows the balance amount to be remitted by them. This short assessment varies from Rs. 10,267/- to Rs. 50,542. challenged by the appellant in CGRF, Kozhikode and the Forum found that there was short realization of revenue in both current charges and OYEC-ECSC charges; but the same was not reflected correctly in the audit report of the RAO, Tirur. The amount arrived at as per the report is not correct and hence the Forum directed the respondent to review the short assessment bill and prepare fresh short assessment bills for each consumer. Accordingly the respondent prepared another statement of additional demand to be paid by the consumers. The statement is shown below.

Consumer No.	To be remitted as per Audit Report		To be remitted as per CGRF Order	
281	Rs. 35,249.00		Rs. 25,869.00	
8595	Rs. 10,490.00	+	Rs. 9,601.00	+
	Rs. 19,750.00		Rs. 16,950.00	
5632	Rs. 4,560.00	+	Rs. 1,318.00	+
	Rs. 19,750.00		Rs. 16,950.00	
8706	Rs. 35,094.00	+	Rs. 21,443.00	
	Rs. 19,750.00		Rs. 16,950.00	
10261	Rs. 20,895.00		Rs. 20,895.00	
1157	Rs. 41,212.00		Rs. 30,525.00	
62	Rs. 15,674.00		Rs. 15,674.00	
61	Rs. 16,886.00		Rs. 16,886.00	
27952	Rs. 50,268.00		Rs. 50,268.00	
1116	Rs. 10,360.00		Rs. 10,360.00	
1098	Rs. 9,785.00		Rs. 9,177.00	
5631	Rs. 19,750.00		Rs. 16,950.00	

As demanded the respondent produced Meter Reading Register from 01/2014 to 8/2016 and Calculation Register.

As a sample, verified the Meter Reading Register and Calculation Register in respect of the Consumer No. 281. Also verified the Calculation of Energy Charge, Average Power Factor, Incentive and Disincentive made in the statement of remittances as per system generated, in statement of additional demand prepared manually and in the Calculation Register.

#### Consumer No. 281

C/L from 04/2014 70961 Watts C/L from 11/2015 76072 Watts

Month		EC (Rs.)		PF	Incer	ntive (Rs.)	Disincentive	No
Apr-14	System	Rs.	35,276.00	0.98				No kVAh
	Manual	Rs.	35,964.00	0.98	Rs.	719.29		in MR
	Cal. Register	Rs.	36,014.80	0.98	Rs.	738.00		Register
	MR Register (1	kWh/k	vVAh)	→ kVAh not available				
May-14	System	Rs.	41,340.00	0.98	0.98			
	Manual	Rs.	42,098.00	0.98	Rs.	841.96		in MR
	Cal. Register	Rs.	42,216.00	0.98	Rs.	876.00		Register
	MR Register (1	kWh/k	vVAh)	→ kVAh	not av	ailable		

Jun-14	System	Rs.	17,031.00	0.98				No kVAh
	Manual	Rs.	17,475.00	0.98	Rs.	349.49		in MR
	Cal. Register	Rs.	17,392.00	0.98	Rs.	361.00		Register
	MR Register (1	kWh/l	cVAh)	→ kVAh	not av	vailable		
Jul-14	System	Rs.	466.00	0.93		-		No kVAh
	Manual	Rs.	277.00	0.93	Rs.	2.08		in MR
	Cal. Register	Rs.	470.00	0.93	Rs.	3.88		Register
	MR Register (1	kWh/l	cVAh)	→ kVAh	not av	vailable		
Aug-14	System	Rs.	4,313.00	0.98		-		No kVAh
	Manual	Rs.	44,157.00	0.98	Rs.	883.13		in MR
	Cal. Register	Rs.	44,010.00	0.98	Rs.	880.20		Register
	MR Register (1	kWh/l	cVAh)	→ kVAh	not av	vailable		
Sep-14	System	Rs.	88,597.00	0.98	Rs.	1,899.90		No kVAh
	Manual	Rs.	93,257.00	0.98	Rs.	1,865.13		in MR
	Cal. Register	Rs.	97,864.00	0.99	Rs.	2,079.61		Register
	MR Register (1	kWh/l	cVAh)	→ kVAh	not av	vailable		
Oct-14	System	Rs.	114,915.00	0.98	Rs.	1,583.00		No kVAh
	Manual	Rs.	128,638.00	0.99	Rs.	2,733.55		in MR
	Cal. Register	Rs.	128,544.00	0.99	Rs.	2,731.56		Register
	MR Register (1	kWh/l	cVAh)	→ kVAh not available				
Nov-14	System	Rs.	90,584.00	0.98	Rs.	2,264.60		
	Manual	Rs.	89,180.00	0.98	Rs.	1,783.60		
	Cal. Register	Rs.	89,180.00	0.99	Rs.	1,895.00		
	MR Register (1	kWh/l	cVAh)	1.00		-		
Dec-14	System	Rs.	71,656.00	0.98	Rs.	1,691.04		
	Manual	Rs.	71,656.00	0.96	Rs.	1,074.84		
	Cal. Register	Rs.	71,656.00	0.98	Rs.	1,486.86		
	MR Register (1	kWh/l	cVAh)	0.99		-		
Jan-15	System	Rs.	22,308.30	0.98	Rs.	368.65		
	Manual	Rs.	22,308.00	0.96	Rs.	334.62		
	Cal. Register	Rs.	22,308.00	0.98	Rs.	451.73		
	MR Register (1	kWh/l	«VAh)	0.97		-		
Feb-15	System	Rs.	51,636.00	0.90	Rs.	949.91		
	Manual	Rs.	51,636.00	0.97	Rs.	903.63		
	Cal. Register	Rs.	51,636.00	0.90		-		
	MR Register (1	kWh/l	cVAh)	0.87		-		
Mar-15	System	Rs.	20,124.00	0.97	Rs.	359.35		
	Manual	Rs.	20,124.00	0.97	Rs.	352.17		
	Cal. Register	Rs.	20,124.00	0.97	Rs.	372.29		
	MR Register (1	kWh/l	«VAh)	0.97		-		
Apr-15	System	Rs.	18,705.00	0.96	Rs.	425.10		
	Manual	Rs.	17,004.00	1.00	Rs.	425.10		
	Cal. Register	Rs.	17,004.00	0.98	Rs.	331.58		
	MR Register (1	kWh/l	«VAh)	1.04		-		

May-15	System	Rs.	1,872.00	0.95		-	Rs.	153.16	
	Manual	Rs.	1,872.00	0.81		-	Rs.	168.48	
	Cal. Register	Rs.	1,872.00	0.95	Rs.	25.27			
	MR Register (	kWh/	kVAh)	0.82		-			
Jun-15	System	Rs.	11,752.00	0.97	Rs.	246.41			
	Manual	Rs.	11,752.00	0.98	Rs.	235.04			
	Cal. Register	Rs.	11,752.00	0.97	Rs.	211.53			
	MR Register (	kWh/	kVAh)	0.94		-			
Jul-15	System	Rs.	17,212.00	0.97		-	Rs.	1,198.09	
	Manual	Rs.	17,212.00	0.91	Rs.	43.03			
	Cal. Register	Rs.	17,212.00	0.97	Rs.	305.50			
	MR Register (	kWh/	kVAh)	0.83		-		-	
Aug-15	System	Rs.	24,388.00	0.97	Rs.	561.70		-	
	Manual	Rs.	24,388.00	0.91	Rs.	60.97		-	
	Cal. Register	Rs.	24,388.00	0.97	Rs.	445.08		-	
	MR Register (	kWh/	kVAh)	1.08		-		-	
Sep-15	System	Rs.	10,312.00	0.97	Rs.	2,524.90		-	
	Manual	Rs.	10,312.00	0.97	Rs.	1,802.71		-	
	Cal. Register	Rs.	10,312.00	0.98	Rs.	2,034.48		-	
	MR Register (	kWh/	kVAh)	0.98		-		-	
Oct-15	System	Rs.	137,644.00	0.97	Rs.	3,390.00		-	
	Manual	Rs.	137,644.00	0.98	Rs.	2,572.88		-	
	Cal. Register	Rs.	137,644.00	0.98	Rs.	2,718.46		-	
	MR Register (	kWh/	kVAh)	0.99		-		-	
Nov-15	System	Rs.	35,932.00	0.97	Rs.	375.48		-	
	Manual	Rs.	35,932.00	0.94	Rs.	359.32		-	
	Cal. Register	Rs.	35,932.00	0.98	Rs.	709.65		-	
	MR Register (1	kWh/	kVAh)	0.81		-		-	
Dec-15	System	Rs.	18,928.00	0.97	Rs.	374.62		-	
	Manual	Rs.	18,928.00	0.97	Rs.	331.24		-	
	Cal. Register	Rs.	18,928.00	0.98	Rs.	354.90		-	
	MR Register (	kWh/	kVAh)	1.02		-		-	
Jan-16	System	Rs.	64,948.00	0.97	Rs.	1,521.58		-	
	Manual	Rs.	64,948.00	0.99	Rs.	1,461.33		-	
	Cal. Register	Rs.	64,948.00	0.98	Rs.	1,282.72		-	
	MR Register (	kWh/	kVAh)	1.00		-		-	
Feb-16	System	Rs.	4,888.00	0.95	Rs.	73.32		-	
	Manual	Rs.	4,888.00	0.95	Rs.	61.10		-	
	Cal. Register	Rs.	4,888.00	0.96	Rs.	72.10		-	
	MR Register (	kWh/	kVAh)	0.96		-		-	
Mar-16	System	Rs.	780.00	0.89	Rs.	19.50		-	
	Manual	Rs.	780.00	0.89		-		-	
	Cal. Register	Rs.	780.00	0.89		-	Rs.	7.02	
	MR Register (	kWh/	kVAh)	1.00		-		-	

Apr-16	System	Rs. 32,292.00	0.97	Rs.	418.24	-	
	Manual	Rs. 32,292.00	0.95	Rs.	403.65	-	
	Cal. Register	Rs. 32,292.00	0.98	Rs.	605.00	-	
MR Register (kWh/kVAh)					-	-	
May-16	System	Rs. 309,692.00	0.98	Rs.	774.80	-	
	Manual	Rs. 309,692.00	1.00	Rs.	774.80	-	
	Cal. Register	Rs. 309,692.00	0.98	Rs.	619.84	-	
	MR Register		1.00		-	-	
Jun-16	System	Rs. 1,092.00	0.95	Rs.	27.30	-	
	Manual	Rs. 1,092.00	1.00	Rs.	27.30	-	
	Cal. Register	Rs. 1,092.00	0.95	Rs.	14.46	-	
	MR Register (1	kWh/kVAh)	1.25		-	-	
Jul-16	System	Rs. 1,716.00	0.91	Rs.	42.90	-	
	Manual	Rs. 1,716.00	1.00	Rs.	42.90	-	
	Cal. Register	Rs. 1,716.00	0.91	Rs.	42.90	-	
	MR Register (1	kWh/kVAh)	0.89		-	-	
Aug-16	System	Rs. 42,536.00	0.97		-	Rs. 2,048.03	
	Manual	Rs. 42,536.00	0.85		-	Rs. 2,126.80	
	Cal. Register	Rs. 42,536.00	0.98	Rs.	829.45	-	
	MR Register (l	kWh/kVAh)	0.85		-	-	
Sep-16	System	Rs. 106,652.00	0.97	Rs.	1,434.18	-	
	Manual	Rs. 106,652.00	0.88		-	Rs. 2,133.04	
	Cal. Register	Rs. 106,652.00	0.98	Rs.	2,106.37	-	
Oct-16	System	Rs. 45,500.00	0.97	Rs.	1,137.00	-	
	Manual	Rs. 45,500.00	0.88	Rs.	796.25	-	
	Cal. Register	Rs. 45,500.00	0.98	Rs.	887.00	-	
Nov-16	System	Rs. 69,108.00	0.98	Rs.	1,677.30	-	
	Manual	Rs. 69,108.00	0.98	Rs.	1,382.16	-	
	Cal. Register	Rs. 69,108.00	0.98	Rs.	1,375.92	-	
Dec-16	System	Rs. 124,329.00	0.97	Rs.	3,108.30	-	
	Manual	Rs. 142,332.00	0.97	Rs.	2,175.81	-	
	Cal. Register	Rs. 142,332.00	0.97	Rs.	2,175.00	-	

The observation or defects noted in the documents of Consumer No. 281 submitted by the respondent are:

- 1. From 04/2014 to 10/2014 the Energy Charges is different in system calculated data, manually calculated data and in the Calculation Register.
- 2. From 11/2014 to 12/2016 the energy charge is same except 11/2016 in manually and system generated data.
- 3. Energy Charges calculated in the Calculation Register based on the meter readings furnished in the Meter Reading Register is correct.
- 4. Zone wise or total kVAh is not seen furnished in the Meter Reading Register from 1/4/14 to 1/9/14, but average Power Factor (PF) is seen arrived and it is not known how it is done without kVAh.

The consumer has received the benefit of PF incentive than the PF disincentive for the entire disputed period.

kWh		2235	421	1305	kVAh	4075
kWh reading on 01/10/14	=	4283	352	2445	kVAh reading on 01/10/14	7184
kWh reading on 01/08/16	=	6518	773	3750	kVAh reading on 01/08/16	11259

Total kWh from 01/10/14 to 01/08/16 = (2235 + 421 + 1305)40 =  $3961 \times 40$ Total kVAh from 01/10/14 to 01/08/16 =  $4075 \times 40$  =  $4075 \times 40$ Average PF during the period from =  $3961 \times 40$  = 0.9701/10/14 to 01/08/16 =  $4075 \times 40$ 

As per the Meter Reading Register the zone wise kVA furnished in the manual statement is correct in the case of Consumer No. 281. In the manual calculation statement of the consumer 281, the connected load up to 10/2015 is 70961 Watts and afterwards 76072 Watts. As the consumer is billed under connected load base, the contract demand in kVA up to 10/2015 is 78.85 and afterwards 84.52. The respondent has taken 75% of each one 59.13 kVA and 63.39 kVA and which is correct. Whenever the maximum demand of the consumer exceeds the contract demand the higher value will be taken for the billing of demand charges. The respondent found a short realization in the demand charges and took action for the same.

It was a mistake from the side of KSEBL which is also agreed by the appellant. If it was proved that there was a genuine case of 'under charging' of the consumer, the Licensee is empowered to claim the same as per Clause 134 of Electricity Supply Code, 2014.

Clause 134 (1) of Supply Code, 2014:- If the licensee establishes either by review 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 thirty days shall be given to the consumer for making payment of the bill.

In the event of any clerical errors or mistakes in the amount levied, demanded or charged by the Board then in the case of under charging, the Board shall have a right to demand an additional amount and in the case of over charges, the consumer shall have the right to get refund of the excess amount provided at that time such claims were not barred by limitation under the law then in force.

#### **Decision**

From the findings and conclusions arrived at as detailed above, the respondent is directed to limit the period of reassessment and revise the bills of all the consumers except Consumer No. 61 for the period of 24 months prior to the month of 12/2016. There is no revision of period in the case of Consumer No. 61.

Having concluded and decided as above it is ordered accordingly. The Appeal Petition filed by the Consumer is allowed as ordered and stands disposed of as such. The order of CGRF in 189/2017-18 dated 09-07-2018 is modified to this extent. No order on costs.

#### **ELECTRICITY OMBUDSMAN**

P	/069	/2018	/	/Dated:

#### Delivered to:

- 1. General Secretary, Ponnani Chamber of Commerce, Chamber Building, Main Road, Ponnani, Malappuram 679 577
- 2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Ponnani, Malappuram

#### Copy to:

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