

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION No. P/091/2019
(Present: A.S. Dasappan)
Dated: 6th January 2020

Appellant : Sri. Nizamudheen Y
Surabhi Nagar, 58 C,
Apsara Junction,
Ayathil P.O.,
Kollam

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Ltd, Pallimukku,
Kollam

ORDER

Background of the case:

The appellant, Sri. Nizamudheen, is a single-phase domestic consumer with consumer No. 4305 under Electrical Section, Pallimukku, Kollam who is aggrieved by the exorbitant electricity bill issued to him for an amount of Rs. 8491/- for the period from 06/18 to 08/19. The appellant remitted Rs.2989/- and raised objection against the balance amount of Rs.5502/-. The connected load in the premises is 160 watts effected from 09-12-1983. Being aggrieved, the appellant filed a petition regarding the impugned bill before the CGRF, Kottarakkara and the Forum disposed of the petition vide order no. OP 94/2019 dated 16-10-2019 with a decision that the petition is dismissed due to lack of merits. Against the decision of the Forum, the appellant has filed the Appeal petition before this Authority on 26-11-2019.

Arguments of the appellant:

The appellant is a domestic consumer of Electrical Section, Pallimukku, Kollam with Consumer No. 4305. The appellant's usual energy bills issued from 19-06-2018 to 21-06-2018 were the minimum as there was no consumption of

energy. The appellant got an exorbitant bill for Rs. 8,491/- on 21-08-2019 of which Rs. 2,989/- was remitted. The balance amount under dispute to be remitted is Rs. 5,502/-. The request of the appellant is to issue a reduced energy bill cancelling the disputed amount.

Arguments of the respondent:

The consumption details of appellant as shown in OrumaNet is furnished below.

Sl. No.	Bi-monthly reading date	Reading & Meter Status	Consumption	Bill Amount (Rs.)
1	19-06-18	5564 /NA	0	98
2	18-08-18	5564 /NA	0	98
3	18-10-18	5564 /NA	0	98
4	14-11-18 (Rg CC)	5564 /AA	0	46
5	18-12-18	5564 /AA	0	57
6	19-02-18	5564 /AA	0	101
7	23-04-19	5564 /AA	0	101
8	21-05-19	5564 /AA	Service Disconnection	
9	21-05-19	5564 RC	Service Reconnection	
10	21-06-19	5564 /AA	0	101
11	06-07-19 (Rg CC)	5924 /AA	360	2989
12	21-08-19	6603 /AA	679	5502

The respondent has taken regular reading on the basis of actual reading (Bi-Monthly) of the appellant and issued demand notice during the billing cycles and recorded zero unit of consumption from 19/06/2018 to 21/06/2018. In the said period the appellant paid minimum charge of electricity.

According to Regulation 112 of Kerala Electricity Supply Code 2014, respondent issued a request bill by taking special meter reading of the appellant for an amount of Rs.2989/- on 06/07/2019 and it was recorded 360 unit of consumption. It has depicted that the consumer started to use electricity after issuing regular bill dated 21/06/2019 and in the succeeding regular billing period it was recorded 679 unit of consumption as well.

The appellant has admitted the fact in the petition that it had not been using electricity for a particular period and after that it started to use electricity. On the perusal of the consumption history of the appellant it is very clear that whenever it was not in use, meter recorded zero consumption and when it started to use electricity, the meter started to run and recorded actual unit of consumption.

Analysis and Findings: -

The hearing of the case was conducted on 30-12-2019 in the chamber of Electricity Ombudsman at Edappally, Kochi. Sri Nizamudhin, the appellant and Sri. Ajilal A, Assistant Executive Engineer, Electrical Sub Division, Pallimukku, has appeared for the respondent's side. On examining the petition, the counter statement 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 decisions thereof.

The request of the appellant is to exempt him from paying the huge bill. The consumption from 06/18 to 06/19 was zero as the premise was vacant. As per both appellant and respondent, there is no defect in the meter. The bills were issued by the respondent from 06/18 to 06/19 and the appellant remitted the amount.

On a perusal of records, it is revealed that the disputed energy meter was not tested at the appellant's premises itself, by installing a check meter in tandem with the existing meter; so that both meters carry the same electric current and will measure the same energy, consumed by the appellant.

As the appellant's premises is a domestic, the chances of getting such a huge consumption of 679 units from 06-07-2019 to 21-08-2019 for a connected load of 160 watts is not possible. If the entire connected load for 160 watts in the premises is working for 24 hours in a bimonthly period, the consumption will never exceed 230 units. A defective meter can go wrong either way. It can go fast or go slow as well. The respondent has not carried out a detailed checking with a reference meter which is tested and calibrated. The respondent did not conduct any checking of the installations in the appellant's premises in order to ascertain the reasons for the excess consumption and not prepared a site mahazar.

In the instant case, there is no allegation that the appellant has connected additional loads to make the meter dysfunctional. As per the respondent there was earth leakage and directed the appellant to rewire the premises and as per appellant there was no such leakage of energy. No earth leakage in the premises or in the KSEBL's installations in the disputed period was found. Hence the real cause for the excess reading is not established. In this background there is no justification for issuing such a huge bill to the appellant.

Decision

From the findings and conclusions arrived at as detailed above, I decide to quash the disputed amount of Rs. 5,502/-.

Having concluded and decided as above, it is ordered accordingly. The Appeal Petition filed by the appellant is found having some merits and is allowed. The order of CGRF, Southern Range in Petition No. OP/94/2019 dated 16-10-2019 is set aside. No order on costs.

ELECTRICITY OMBUDSMAN

P/091/2019/_____ /Dated: _____

Delivered to:

1. Sri. Nizamudheen Y., Surabhi Nagar, 58 C, Apsara Junction, Ayathil P.O., Kollam
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Pallimukku, Kollam

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.