Consumer Grievance Redressal Forum
Kerala State Electricity Board - Southern Region,
Vydyuthi Bhavanam, Kottarakkara

No: CGRF/KTR/OP.No.727/2012/1279 Date: 15 .5.2012.

From

Chairperson

To

The Assistant Executive Engineer,
Electrical Sub Division,
K.S.E Board,
Varkala.

Sub: - Releasing of order of disposal of OP.No.727/2012.

Ref: - B.O (FB) No.585/2006 (LA.II/1173/2006) dated 25.2.2006.

Sir,

Enclosed the order of disposal of petition filed by Smt. Sheeda Dharmaseelan in O.P.No.727/12 for further action.

Yours faithfully,

CHAIRPERSON
DEPUTY CHIEF ENGINEER
CGRF (SOUTH)

Copy to:-

1. Smt. Sheeda Dharmaseelan, 'Hotel Green Palace, Cliff Top, Near Helipad, Varkala.
2. The Deputy Chief Engineer, Electrical Circle, Thiruvananthapuram (Urban).
3. The Executive Engineer, Electrical Division, Attingal.

CONSUMER GRIEVANCE REDRESSAL FORUM (SOUTH), KOTTARAKKARA

Present: 1. Sri.R.Suku, Chairperson, Deputy Chief Engineer
2. Smt. Beena Pious, Executive Engineer
3. Sri.N.Sasidharan Unnithan, Member

Wednesday the 2nd day of May 2012

OP No.727/2012

Between

Petitioner: Smt. Sheeda Dharmaseelan,
'Hotel Green Palace,
Cliff Top,
Near Helipad,
Varkala.

And

Respondent: The Assistant Executive Engineer,
Electrical Sub Division,
Varkala.

Grievance of the Petitioner

The petitioner is the Managing Partner of Hotel Green Palace, with Consumer No.13658 under Electrical Section, Varkala, and is aggrieved by the penal bill dtd.6/3/2012 for Rs.3,41,164/- . Since the consumer was promptly paying all the current charges bills, there was no case of any arrear as demanded by KSEB. On enquiry it was told that this amount was the penal charges on fixed and current charges from 12/2006.

Upto November 2006, the connected load of the firm was 8 KW. Later the connected load was enhanced to 17 KW, for which the petitioner had been paying Rs.1700/- as Fixed cost and an additional charge of Rs.450/-, upto 1/2009. From 2/2009, the additional charge was discontinued. Since the payments for enhanced load were done in 12/2006, it is prayed that the penal bill now issued may be set aside.

Version of the Opposite Party

The petitioner had availed a 3 phase service connection to their hotel with a connected load of 7959 watts, under LT VIIA tariff. A provisional invoice was issued for Rs.3,41,164/- on 5/3/2012 for short assessment of penal charges for Unauthorized Additional load 9 KW, for the period from 15/6/2007 to 12/2009. The notice was issued as per the directions of AG audit team. APTS had inspected the premises during 10/05, and had detected UAL of 9 KW. A penal bill for Rs.19,200/- was issued and it was remitted by the consumer in 4 monthly installments. After that the consumer has not turned up to regularize the UAL.

As per BO (FM)No.368/2008/(DPC) C-Gl/182/2007/dtd.7/2/2008 and Indian Electricity Act 2003 Section 126(6), 2 times FC and proportionate energy charges are to be levied from 15/6/2007, till the UAL is removed or regularized. Prior to 15/6/2007, the penal charges was only for FC at 1.5 times the normal rate. The petitioner remitted penal FC upto 1/09 and by clerical mistake the penal FC demand was discontinued from 2/2009 onwards. The petitioner had not submitted any application to regularize the UAL, till date. The security deposit of the petitioner is Rs.41,782/- which is based on the consumption and is not connected with the load enhancement. Hence the penalization for 9 KW UAL is as per rules and it is prayed to direct the petitioner to remit the short assessment bill for Rs.3,41,164/- with surcharge and cost to the respondent.

Discussion and Findings

The petitioner is challenging the short assessment bill dtd.5/3/2012 for Rs.3,41,164/- being the arrears of penal charges due from him, for the use of Unauthorized Additional Load of 9 KW. The additional load of 9 KW used is not at all under dispute. But, according to the petitioner, he got the additional load regularized and as such he is

not bound to pay any penalty. But he did not produce any document to show that he applied for regularization of the additional load and got it regularized. The use of additional load is not at all under dispute. The petitioner is liable to pay the penal charges, till the load is not regularized and as such he cannot raise any objection against the short assessment of penalty, based upon the audit report.

A copy of the audit report of the RAO, with detailed calculation of the short assessment is available on file, produced by the opposite party. On a meticulous consideration of the petition, version, copy of the audit report and other documents available on file and also on considering the arguments of both the parties during hearing, we do not find any irregularity in the impugned bill, and we do not find any reason to interfere into the same. Accordingly this complaint is closed with the following direction.

ORDER

(i) The complaint is devoid of merit and accordingly it is dismissed.

(ii) No order as to costs.

If the petitioner is not satisfied with the above order of this Forum, he/she is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order. The address of the Electricity Ombudsman is furnished below.

State Electricity Ombudsman, Pallikkavil Buildings, Mamangalam-Anchumana Temple Road, Opp:Kochi Corporation Regional Office, Edappally, Kochi – 682 024, Ph: 0484 -2346488.

Sd/-	Sd/-	Sd/-
BEENA PIOUS	N.SASIDHARAN UNNITHAN	R.SUKU
EXECUTIVE ENGINEER, MEMBER	MEMBER	CHAIRPERSON DEPUTY CHIEF ENGINEER

Forwarded

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF (SOUTH), KOTTARAKKARA.