

CONSUMER GRIEVANCE REDRESSAL FORUM

CENTRAL REGION

(Formed under Section 42(5) of the Electricity Act 2003)

220 kV Substation Compound, HMT Colony P.O. Kalamassery, Pin – 683 503

Phone No. 0484-2556500 Website: cgrf.kseb.in, Email: cgrf.ekm@gmail.com,

CUG No. 9496008719

Present	(1) Smt.Sheeba. P (2) Sri. Biju Varghese	Chairperson 3 rd Member
Petitioner		Sri.Pushpangadan .C.D., Chundamalayil (H), Permpadavom P.O., Ernakulam, Pin: 686665
Respondent		The Assistant Executive Engineer, Kerala State Electricity Board Ltd, Electrical Sub Division, Piravom, Ernakulam. (Electrical Section,Piravom)

No.CGRF-CR/OP No.44/2023-24

Date: 31-10-2023

ORDER

Background of the case:

The petitioner is having an electric connection bearing consumer number 1155979031679 under LT -IA domestic tariff with a connected load of 4146Wattsfalling within the jurisdiction of Electrical Section, Piravom. On 06/07/2023, the petitioner received an electricity bill showing an exorbitant amount of Rs.5603/- for 670 units, where the previous average consumption was only 284 units bimonthly. The petitioner approached the licensee and paid fee for meter testing as requested. Later, the respondent informed the petitioner that the testing of the meter couldn't be performed due to no display in the meter and hence the bill was confirmed. Hence, the petitioner approached this Forum to revise the bill taking previous average consumption.

Version of the Petitioner:-

The petitioner states that the average usage for the last one year was only 284 units with an amount of Rs.1275/-. But on 06/07/2023, the petitioner received an electricity bill showing an exorbitant amount of Rs.5603/- for 670 units. Thus the petitioner filed a complaint against this exorbitant bill at the Section Office and paid adequate fee for testing the meter. When the officials of the respondent visited the premises for testing the meter, it was having no display. Thus the meter was sent for testing to the TMR Division, Angamaly; but could not perform the testing as the meter had no display. The petitioner quotes the details of previous one year consumption and bill amount which is as follows:-

Reading Date	Bill Amount	Energy Charge	Consumption	Average Consumption
07-07-2022	879.00	782.19	221. unit	312. unit
06-09-2022	1342.00	1075.00	273. unit	280. unit
05-11-2022	1481.00	1200.00	298. unit	270. unit
06-01-2023	1345.00	1075.00	273.00	286. unit
06-03-2023	1021.00	905.00	239. unit	286. unit
06-05-2023	1589.00	1298.00	313. unit	270. unit
06-07-2023	5603.00	4690.00	670. unit	276. unit

Therefore the petitioner requests this Forum to treat the meter as faulty and to revise the bill amount according to the previous average consumption.

Subsequently, statement of facts was called for and the same was submitted by the respondent on 26/09/2023.

Version of the Respondent:-

The respondent states that the petitioner's electricity bill dated 06/07/2023 comes to Rs.5594/- with a consumption of 670 units. The respondent states that on examining the consumption pattern, the bills for 07/2016,05/2018 and 07/2018 come to Rs.2475/-, Rs.3321/- and Rs.2383/- respectively. Hence, on comparing

with the consumptions for the month of 05/2018 and 07/2018, which were 537 units and 456 units respectively, the consumption for the month of 07/2023 cannot be considered as an exorbitant one. Therefore the claim made by the petitioner that the consumption was low during the previous period is not sustainable.

The respondent also stated that the petitioner remitted the adequate fee for testing the meter on 25/07/2023. Accordingly the petitioner's meter was sent to TMR Division, Angamaly for testing as per Regulation No.115 and related Sub-Regulations of the Supply Code 2014. But the TMR unit, Angamaly rejected the request for meter testing as the meter's display was not working and hence not able to download the internal data.

The respondent mentioned that an internal fault may have happened due to excess load in the petitioner's premises. The respondent also pointed out that the meter was working properly up to the last reading date i.e. on 06/07/2023. The respondent further pointed out that the petitioner was having connected load nearing to the limit of three phase connection load. The respondent states that no heavy lightning has affected the premises and it was not mentioned anywhere in the complaint filed by the petitioner.

The respondent argues that during the inspection / testing, it was not established that the meter had become defective or damaged due to technical reasons such as voltage fluctuation, transients, etc. which are attributable to the licensee. Hence the cost of replacement of the meter need not be borne by the licensee. Still, being a customer-friendly organisation, the existing meter was replaced with a new one by the licensee within the least possible time, i.e. within three working days, which is according to Regulation 118 of Kerala Electricity Supply Code, 2014. The respondent states that here, the replacement was done on 26/07/2023, which was within limits and no service deficiency had occurred.

The respondent further argues that the meter was damaged due to causes attributable to the petitioner, such as a defect in the installation of the petitioner,

the meter getting wet and connecting unauthorized additional load. The respondent points out that there were no similar complaints obtained from the nearby residents up to the date. The respondent declares that the service of the respondent was never low and had no malpractices from the part of the respondent. The anomalies existed only in the premises of the petitioner and affected the petitioner only. Thus the respondent requests this Forum to allow collecting the cost of the licensee's meter along with adequate depreciation from the petitioner along with the disputed electricity bill. The respondent further requests this Forum not to allow any revision of the bill according to the previous average consumption, as all the incidents have happened not because of the shortcomings of the KSEBL.

Analysis and findings:

Hearing was conducted at the chamber of the Chairperson, Consumer Grievance Redressal Forum, Ernakulam. The Forum afforded an opportunity to hear the Petitioner and the Respondent on 18-10-2023. Both the petitioner and the respondent were present for hearing. Having examined the petition in detail and the statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both sides, the Forum comes to the following observations, conclusions and decisions thereof.

During the course of hearing, the petitioner argued that they have never had such a high consumption of 670 units other than the disputed bill, which may be due to any fault in the meter. The petitioner pointed out that at the time of testing the meter, there was no display in the meter, which itself proves that the meter was faulty and hence requested this Forum to revise the disputed bill as per the previous average. In response, the respondent stated that the billed consumption of the petitioner during the month of July in the previous years were high and stated that it reached about 486 units during 07/2016 and 456 units during 07/2018. In reply, the petitioner clarified that they got their electricity connection on 28/04/2016 for their new home and the increased consumption recorded in the bimonthly bill of July, 2016 was due to their house-warming ceremony. Also in July 2018, the consumption got increased because of higher electricity usage in

connection with the demise of petitioner's father and its related functions. Therefore the petitioner contended that the comparison of their current consumption during those years with this specific month in the present year is not an accurate representation of their usual electricity usage.

As per the report submitted by the respondent, this Forum noted that the consumption of this petitioner for the month of July for the past few years were as follows:-

Month / Year	Consumption in Units
07/2016	486
07/2017	386
07/2018	456
07/2019	317
07/2020	357
07/2021	335
07/2022	221

After evaluating the petitioner's consumption history for the month of July over the past several years, it becomes evident that the petitioner's usage had never previously reached the significantly high level of 670 units, as claimed by the respondent. Furthermore, the respondent's attempt to test the meter at their laboratory was unsuccessful due to the absence of display in the meter. These findings collectively indicate that the respondent could not establish that the meter was healthy and as a result, they could not attribute the increased consumption to the petitioner's additional usage of electricity. Hence, this Forum assess that in such situation, the disputed bill shall be revised on the basis of average consumption of the past three billing cycles in accordance with Regulation 125(1) of the Kerala Electricity Supply Code, 2014, which reads as follows:

Regulation 125. Procedure for billing in the case of defective or damaged meter.-

“(1) In the case of defective or damaged meter, the consumer shall be billed on the basis of average consumption of the past three billing cycles immediately preceding the date of the meter being found or reported defective”

This Forum also views that since the licensee was unable to conduct a meter test, the meter testing fee collected by the licensee should be reimbursed to the petitioner.

DECISION:

Considering the above facts and circumstances, the Forum issues the following orders:-

- 1) The respondent shall revise the disputed bill for the month of July 2023 on the basis of the average consumption of past three billing cycles.**
- 2) The respondent shall reimburse the testing fee that was collected from the petitioner.**
- 3) No cost ordered.**

The petitioner is at liberty to file appeal before the State Electricity Ombudsman, D.H. Road, Off shore Road Junction, Near Gandhi Square, Ernakulam, Pin – 682 016 (Ph.: 0484 -2346488 , Mobile No. 8714356488) within 30 days of receipt of this order, if not satisfied with this decision.

Dated this 31st day of October, 2023

Sd/-
Sri.Biju Varghese
3rd Member
CGRF, Ernakulam

Sd/-
Smt. Sheeba. P
(CHAIRPERSON)
CGRF-CR, Ernakulam

Endt. On CGRF-CR/OP No.44/2023-24 Dated

Delivered to

Sri.Pushpangadan .C.D.,
Chundamalayil (H),
Permpadavom P.O.,
Ernakulam, Pin: 686665.

Sd/-

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to: 1)The Secretary, KSEBL, Vydhyuthi Bhavanam, Pattom,
Thiruvananthapuram.
2) The Secretary, Kerala State Regulatory Commission,
KPFC Bhavanam, C.V Raman Pillai Road, Vellayambalam,
Thiruvananthapuram.

Copy to: - (1) The Deputy Chief Engineer, Electrical Circle, KSEBL,
Perumbavoor
(2) The Executive Engineer, Electrical Division, KSEBL,
Moovattupuzha
(3) The Assistant Executive Engineer, Electrical Sub Division,
KSEBL, Piravom
(4) The Assistant Engineer, Electrical Section, Piravom