

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
3rd Member

Petitioner

Sri. Saseendran,
 S.S. Nivas, Puthiyavila,
 Pattoly Market P.O.,
 Alappuzha Dist.,
 Pin – 690 531

Respondent

1) The Assistant Executive Engineer,
 Kerala State Electricity Board Ltd,
 Electrical Sub Division,
 Kayamkulam

(Electrical Section, Muthukulam)

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No.CGRF-CR/OP No.57/2023-24

Date: 20-11-2023.

ORDER

Background of the case:

The Petitioner is a commercial consumer of Electrical Section Muthukulam under Electrical Subdivision, Kayamkulam, having Consumer No.1157415004048. The Petitioner has received the regular electricity bill amounting Rs.31563/- on 04.08.2023. The bill amount was exorbitantly higher compared to the petitioner's previous bills. Upon approaching the KSEB Section Office, the petitioner was advised to seek the services of an electrician to inspect the defects in their internal wiring system.

Upon inspection, it was discovered that the exorbitantly high bill resulted from an electricity leakage occurring at the main switch. The respondent expressed their inability to address the petitioner's grievance and directed to accept the option of

three installments for remitting the amount. Subsequently, the petitioner has now approached this Forum to instruct the respondent to revise the exorbitant bill to the average of the previous bills citing financial constraints.

Version of the Petitioner:-

The petitioner received an unusually high electricity bill of Rs. 31,563/- on 04.08.2023. Their normal bill for the period from 05.04.2023 to 05.06.2023 was only Rs. 1,752/-. When the petitioner approached the respondent, they advised to hire an electrician to check for any issues in the internal wiring system. Upon inspection, it was discovered that there was earth leakage in the main switch, which had been damaged by lightning. The petitioner contends that before receiving the high bill, there were no signs of electricity interruption or any indication of an earth leakage. Additionally, the petitioner finds the indicators on the meter installed by the licensee confusing. As a result, the petitioner appeals to this forum to instruct the respondent to revise the exorbitant bill to the average of the previous bills citing financial constraints.

Version of the Respondent:-

The petitioner is a consumer in Electrical Section Muthukulam having Consumer Number 1157415004048 in commercial tariff. Consumption as per reading taken on 04.08.2023 was found recorded 2920 units in the meter. Previous reading was on 05.06.2023 and no irregularities were noticed at that time. Meter reader has not reported any abnormalities about the working of meter. A direction was given to the petitioner to check the wiring at the premises, when he approached the Section Office in regard with the hike in consumption as per reading taken on 04.08.2023. After the internal wiring system was checked by an electrician, the petitioner has informed that burning of the main switch in lightning and consequent earth leakage from it was the reason for recording such a hike in units. On request of the petitioner, facility for remitting the bill amount in three installments was allowed and two installments have already been remitted.

The respondent submits that it is duty of the petitioner to keep the installations at the premises in good condition so as to avoid such earth leakage.

Since the meter is working properly, the petitioner is liable to pay the bill amount assessed according to the recorded consumption.

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 15-01-2023. 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 hearing, the petitioner stated they recently relocated their printing shop to a new premise. In the previous shop, the average monthly bill was only Rs. 600/-. However, in the new shop, he received a regular bill dated 04.08.2023, amounting to an exorbitant Rs. 32,563/-.

The petitioner also stated that they identified an earth leakage in the main switch which might have occurred during a lightning event, as it is evident from the burning observed in the main switch contacts. Emphasizing this point, the petitioner urged for the incorporation of an alarm system in the meter by the licensee. This, according to the petitioner, would enable consumers to receive alerts about any earth leakage.

Furthermore, the petitioner argued against being held liable for the bill, asserting that the increased electricity usage indicated in the bill did not align with their printing shop's actual consumption. The petitioner attributed the responsibility to the licensee, citing the absence of provisions such as an alarm or other methods to alert consumers in the event of earth leakage.

The respondent argued that increase in consumption recorded in the meter was resulted from an earth leakage in the main switch rod caused by a flash incident. The respondent further argued that since the point of supply of the licensee extends only up to the cut-out installed by the consumer, it is the consumer's

responsibility to address any defects in installations beyond that point on the premises. The respondent stated that hike in consumption was attributed to damage in the installation of the petitioner. Hence, the petitioner is liable to pay the bill amount.

This Forum assesses that the petitioner does not have any doubts regarding the accuracy and healthiness of the meter. Moreover, in accordance with Regulation 2(64), the point of supply is defined as the point at the incoming terminal of the cut-out installed by the consumer in LT connections. Additionally, as per Regulation 2(25), the installation of the consumer is considered to commence from the point of supply at the premises of the consumer.

Therefore, this Forum concludes that the consequences of any defects in the installation of the consumer cannot be attributed to the licensee. The consumer is liable to make payments as per Section 45 (1) of the Electricity Act, 2003 and Regulation 31 (1) of the Kerala Electricity Supply Code, 2014, which are described below:-

Section 45 (1) of the Electricity Act , 2003 : (Power to recover charges):-

“(1) Subject to the provisions of this section, the prices to be charged by a distribution licensee for the supply of electricity by him in pursuance of section 43 shall be in accordance with such tariffs fixed from time to time and conditions of his licence.”

Regulation 31 (1) of the Kerala Electricity Supply Code, 2014:-“Recovery of charges for supply of electricity.-

“(1) Subject to the provisions of this Code, the charges to be levied on the consumer by the distribution licensee for the supply of electricity in pursuance of the provisions of the Act, shall be in accordance with the tariff fixed by the Commission from time to time and the conditions of the license.”

DECISION:

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

- 1. The petitioner is liable to pay the charges as per the demand of the licensee.**
- 2. 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 20th day of November 2023

Sri. Biju Varghese
3rd Member
CGRF, Ernakulam

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

Endt. On CGRF-CR/OP No.57/2023-24 Dated
Delivered to

Sri.Saseendran,
S.S. Nivas, Puthiyavila,
Pattoly Market P.O.,
Alappuzha Dist.,
Pin – 690 531

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, Alappuzha
(2) The Executive Engineer, Electrical Division, KSEBL, Mavelikkara
(3) The Assistant Executive Engineer, Electrical Sub Division KSEBL,
Kayamkulam
(4) The Assistant Engineer, Electrical Section, Muthukulam