

# **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](http://cgrf.kseb.in), Email: [cgrf.ekm@gmail.com](mailto:cgrf.ekm@gmail.com),**  
**CUG No. 9496008719**

**Present**

**(1) Smt. Sheeba. P**  
**(2) Sri. Biju Varghese**

**Chairperson**  
**3<sup>rd</sup> Member**

**Petitioner**

Sri. Radhakrishnan T.N.,  
 39/2825, Ram Complex,  
 K.S.N. Menon Road,  
 Ernakulam, Pin – 682 016

**Respondent**

The Assistant Executive Engineer,  
 Kerala State Electricity Board Ltd,  
 Electrical Sub Division,  
 College, Ernakulam.  
 (Electrical Section, College)

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**No.CGRF-CR/OP Nos.53, 54 and 55/2023-24**

**Date: 13-12-2023.**

### **ORDER**

#### **Background of the case:**

The petitioner has three Low Tension (LT)connections in a four-storied building at Ram Complex, 39/2825 KSN Menon Road, under Electrical Section, College, Ernakulam, with consumer numbers 1155403003766, 1155401003767, and 1155409003765 under the tariffs of LT-VI F, LT-I A and LT-VII A respectively. The petitioner is also a prosumer as they installed grid-interactive solar energy system with a capacity of 9 kWp on the premises of consumer number 1155403003766 in May 2022. The electricity generated in this premises is wheeled to the petitioner's other two consumer numbers:- 1155401003767 (LT-IA) as the first beneficiary and 1155409003765 (LT-VII A) as the second beneficiary.

The petitioner has complained that the electricity bill amounts for the month of September 2023 are excessive compared to their previous bills for all three consumer numbers. Upon receiving this bill, the petitioner lodged complaints on

14/09/2023 and subsequently on 18/09/2023 with the respondent, alleging that the bill amount is excessive and shows a significant variation from the previous bills. Aggrieved by the steps taken by the respondent to address the complaints related to the billing of the three connections, the petitioner approached this Forum with separate complaints.

### **Version of the Petitioner:-**

The petitioner owns a four storied building which has 3 separate electric connections for the purpose of residence and office. The petitioner installed a solar power generation plant at the top of this building and was connected to the electric connection with consumer number 1155403003766 (LT-VI F) as parent / mother connection of solar and added two electric connections bearing consumer number 1155401003767 (LT-IA) as first beneficiary and consumer number 1155409003765 (LT-VII A) as second beneficiary. On 12/09/2023, the petitioner was served with regular bills of these three connections, dated 01/09/2023 via email, demanding exorbitant amounts of Rs.6405/-, Rs.8361/- and Rs.44586/- towards consumer numbers 3765, 3767 and 3766 respectively. Thus the petitioner immediately filed a complaint before the KSEB College Section, stating that the bills are excessive and that it showed variations from the previous bills.

The petitioner argues that even a bare look at the bill will clearly reveal that there had been some meter related or data related problems, since the bill was inflated and appeared to have no connection to the actual consumption, especially when viewed in the light of the earlier bills. When there was no positive response or reply from the licensee, the petitioner again filed another complaint dated 18/09/2023 to the respondent. Apparently, on being satisfied that some error had crept into the reading, the petitioner was informed that a test meter to measure actual consumption could be set up on payment of certain fees on one of the connections out of the three. The petitioner agreed to the same and remitted the requisite fee for fixing a test meter on one of the connections as suggested by the respondent. Since the respondent had clearly admitted the possibility of error in the meter readings and were taking steps to verify the same, the petitioner requested the

respondent to keep the disputed bill under abeyance. But without considering the request of the petitioner and not passing any Orders on the request made by the petitioner, the respondent started pressurizing the petitioner to remit the amounts of these bills under the pretext that it would be revised if any anomalies get found in the meter reading. Thus the petitioner was forced to pay the disputed amounts of two electric connections (consumer numbers 3765 and 3767); but furnished a letter indicating the remittance under protest, dated 21/09/2023. The petitioner argues that the actions, inactions and pressurizing tactics of the respondent is illegal and violates the principles of natural justice. The petitioner thus preferred to file this petition before this Forum for redressal.

**Subsequently, statement of facts was called for and the same was submitted by the respondent on 16/11/2023.**

**Argument Note submitted by the petitioner on 12/12/2023:-**

The petitioner argues that the illegal actions of the respondent has resulted in the petitioner approaching this Forum by engaging a legal counsel for agitating these cases whereby unnecessary expenses were incurred by the petitioner. The petitioner raised an anomaly with regard to the billing pattern of the respondent which was mentioned at the time of hearing before this Forum. The petitioner states that the bill issued by the respondent towards consumer number 3766 was for an amount of Rs.44586/- dated 01/09/2023 and it can be seen that this bill already existed in the site in the month of January 2023 and the bill that was issued for the month of October dated 17/10/2023 for an amount of Rs.25618/- also existed in the month of February 2023, in the website of the licensee. But both these bill amounts, already existing on the site as the bills for January and February, were demanded only through the bills in September and October 2023. The petitioner doubts this like a fraud practiced upon them by the respondent and no explanation for the same has been afforded by the respondent regarding this allegation during the hearing conducted on 27/11/2023. Thus the petitioner requested this Forum to direct the respondent to take actions to delete these amounts from the website of the licensee and to issue a “no dues certificate” to

them; but the respondent has neither replied nor clarified to this request. The petitioner also complains that even after making a request to furnish the details of the spot billing, the respondent has refrained from doing so.

The petitioner states that a sudden change is noted in the billing pattern of consumer number 3766 during the months of September and October 2023. The petitioner also complains that revision in the bills are not yet done by the licensee, as per the statement made by the respondent in their version submitted before this Forum as well as the statement made during the course of hearing. The petitioner also complains that 'transmission loss' or 'applying factor' is not mentioned in the solar agreement and hence this 'applying factor' in some of the bills incurs a loss to the petitioner.

The petitioner further stated that one electric vehicle was already there from April 1<sup>st</sup> 2023 and the 2<sup>nd</sup> electric vehicle started plying from 10<sup>th</sup> November 2023. The petitioner also shared their doubt regarding the healthiness of meters of consumer numbers 3765 and 3767 like the meter of consumer number 3766 and requested a second test of these meters to be done in some other authorised laboratory. The petitioner further states that they have converted the consumer number 3765 from single phase to three phase on 11/12/2023. The petitioner also stated that they have incurred expenses for payment for installing a parallel meter to consumer number 3766, meter testing fee for testing at the accredited lab for all three consumer numbers and legal fees and expenses amounting to Rs.15000/- and thus requested this Forum to compensate these amounts from the respondent.

### **Version of the Respondent:-**

The respondent states that the three electricity connections bearing consumer numbers 1155409003765, 1155403003766 and 1155401003767 coming under Electrical Section, College belongs to Sri.Radhakrishnan T.N. These connections were effected on 21/04/1986. The connections are given in LT-VII A, LT-VI F and LT-IA tariffs for consumer numbers 1155409003765, 1155403003766 and 1155401003767 respectively. The petitioner installed a solar panel having a

capacity of 9 kWP with grid connectivity against the consumer number 1155403003766 on May 2022 and added consumer numbers 1155401003767 (priority 2) and 1155409003765 (priority 3) as beneficiaries. All these electricity connections were provided in the same building. The monthly consumption of the petitioner towards consumer number 3765 was in the range of 180 to 220 units from May 2022 to February 2023 and thereafter the consumption increased to 450 to 600 units till August 2023. The same towards consumer number 3766 was in the range of 200 to 300 units up to 07/2023 against an export of 800 to 1000 units. The same towards consumer number 3767 was in the range of 300 to 750 units up to 02/2023 and rose up to 1200 to 1500 till 05/2023. Also, a steep decrease in the consumption was observed on consumer number 3765 during September 2023 which reached to mere 60 units. The reading registry of the billing software of connection bearing consumer number 1155403003766 showed that the monthly import being in the range of 200 to 300 units up to July 2023 after installation of solar panel, whereas the export was found to be in the range of 800 to 1000 units. A large hike was observed in the import reading during August and September 2023.

After serving the monthly bills of these electric connections for the import units during August 2023, the petitioner's representative approached the Section Office on 15/09/2023 for complaining of excess bill. As an immediate measure, a test meter was connected in the circuit of consumer number 3766 on 20/09/2023 and reading was taken after 10 days i.e. on 29/09/2023. The import in the test meter was found to be 70 units whereas the original meter recorded 69 units. Also the export units in the test meter were found to be 213 units, whereas the original meter recorded 212 units. The reading of the test meter and the petitioner's meter remained almost same. But the petitioner was not satisfied with the test results.

The respondent states that as per Regulation 115 of Kerala Electricity Supply Code 2014, the meter shall normally be tested in an accredited laboratory of the licensee, approved by the Commission. Accordingly, in order to rule out the contentions raised by the petitioner, a notice for the testing of the meters was

served to the petitioner directing either to test the meters by the petitioner in his own expense or to remit the necessary fees for testing in an accredited laboratory. The petitioner consented to remit the required fees for the testing of all three connections' meters. The respondent states that, as per the petitioner's request, necessary arrangements have already been made from the Section Office for the testing of the meters at TMR Division, Angamaly for factual analysis. The respondent assured that the readings can be revised based on the download data of the meter, once it gets received. The respondent argues that no disconnection has been effected till date against the three connections, even though the petitioner objected to remit the current charges of electricity connection bearing consumer number 1155403003766 which was pending for two months and one month's bill being pending for the other two connections.

**Additional Statement of facts:-**

The respondent states that the bills have been revised based on the healthy average for both import and export units and has been computed by taking the readings recorded during the month of May, June and July, 2023. The respondent further stated that a site inspection was carried out by the Assistant Engineer and Sub Engineers of Section Office on 04/12/2023 and verified the actual connected load of the consumer number 3765; where connected load of only 1000 watts had been registered. Thus additional load has been detected in the said connection.

On detailed enquiry with the petitioner, it was understood that two electric vehicles – Tigor were being charged from the connection bearing consumer number 3767 (one of the three electric connections in the building). The respondent states that now the petitioner has consented to regularize the additional load of connection bearing consumer number 3765, incorporating two electric vehicles' charging points from this connection. The total connected load of connection bearing consumer number 3765 now comes to 8kW. The respondent states that the contentions raised by the petitioner have been clarified during the said inspection. The petitioner has now been issued with a revised bill on 05/12/2023.

**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 27-11-2023. Both the representative of 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.

The petitioner has three LT connections in a four-storied building under Electrical Section, College, Ernakulam, with consumer numbers 1155403003766, 1155401003767, and 1155409003765 under the tariffs of LT-VI F, LT-I A and LT-VII A respectively. The petitioner installed grid-interactive solar energy system with a capacity of 9 kWp on the premises of consumer number 1155403003766 in May 2022. The electricity generated from this solar plant is wheeled to the other two consumer numbers viz. consumer number 1155401003767 (LT-IA) as the first beneficiary and consumer number 1155409003765 (LT-VII A) as the second beneficiary.

The petitioner filed three separate complaints for each consumer numbers vide OP No.53, 54 and 55 of 2023-24 for consumer numbers 1155401003767 (LT-IA), 1155409003765 (LT-VII A) and 1155403003766 (LT-VI F) respectively, against the excessive billing amounts for all three connections in the electricity bill received in September 2023. Since the billing of these three consumers is interconnected each other due to the wheeling of solar-generated power, this Forum considered the three petitions together and issued one common Order.

During the course of the hearing, the petitioner informed that on 12/09/2023, they received a regular current bill for their three connections dated 01/09/2023 via mail, demanding exorbitant amounts of Rs.6405/-, Rs.8361/- and Rs.44586/- for consumer numbers 1155409003765, 1155401003767 and 1155403003766 respectively. The petitioner further informed that their consumption had never

before increased as recorded in the bill for the month of September 2023 after the installation of their solar generation plant. Therefore, the petitioner attributed the root cause to a fault in the meter installed in their premises.

The petitioner also pointed out that when they verified their bill for the month of January 2023 on the website of the licensee, they noticed the presence of the same disputed amount (exorbitant bill amount) for the same consumer numbers. Thus, the petitioner also doubted that the exorbitant amount was being incurred due to some technical errors in the licensee's software. The petitioner also expressed doubt regarding the high consumption recorded in consumer number 1155401003767 (LT-IA), as only two old-aged people are residing there.

In response, the respondent stated that they promptly sent all three electric meters of the petitioner for testing to the TMR Division, Angamaly, as soon as they received the complaint. However, before receiving the results, the petitioner lodged a complaint before this Forum. Subsequently, the petitioner informed that, even after filing a complaint with the respondent, officials of the licensee threatened them with disconnection.

The respondent further informed that they have now received the meter testing report and identified that the meter related to consumer number 1155403003766 (prosumer) is faulty. As a result, the respondent reported that they will revise the petitioner's bill based on the previous average consumption and the beneficiaries' bills will also be adjusted accordingly. However, the respondent pointed out the possibility of earth leakage in consumer number 1155401003767, as the meter is found to be healthy but the consumption is recorded as high.

This Forum assesses that upon receiving the complaint about the increase in the bill amount, the respondent sent all three electric meters for testing at TMR Division, Angamaly. The results indicated that the meter for consumer number 31155403003766 was found to be faulty, while the remaining two meters were determined to be in proper working condition.



Regulation 125(1) of the Kerala Electricity Supply Code, 2014 outlines the procedure to be followed while calculating bills for a defective meter. Regulation 125(1) is stated below:-

**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:*

*Provided that, the average shall be computed from the three billing cycles after the meter is replaced if required details pertaining to previous billing cycles are not available:*

*Provided further that any evidence given by consumer about conditions of working and occupancy of the concerned premises during the said period, which might have had a bearing on energy consumption, shall also be considered by the licensee for computing the average.*

In light of this, the respondent revised the bills for consumer number 1155403003766 (solar consumer) for the period from 09/2023 to 11/2023, considering the average of the previous bills. Following the revision, there was an accumulation of more banked units. Subsequently, the respondent also revised the corresponding electricity bills for the first beneficiary (consumer number 1155401003767). No revision in the bill was undertaken for the second beneficiary, as there was no balance energy available for wheeling. The detailed calculations of bill revisions done by respondent are outlined below:-

**Revised bill calculation as per Healthy Average –Cons. No. 1155403003766**

| Bill month     | Import     | Export     |
|----------------|------------|------------|
| 06/2023        | 262        | 855        |
| 07/2023        | 128        | 571        |
| 08/2023        | 241        | 575        |
| <b>Average</b> | <b>210</b> | <b>667</b> |

### **Solar Group Unit Adjustment**

| Bill Month | Cons. No.     | Zone Code | Import | Export | Export banked energy | Factor | Solar energy (Bank energy X Factor) | Adjusted from bank | Billed consumption | Banked balance |
|------------|---------------|-----------|--------|--------|----------------------|--------|-------------------------------------|--------------------|--------------------|----------------|
| 09/2023    | 1155403003766 | A         | 210    | 667    | 667                  | 1      | 667                                 | 210                | 0                  | 457            |
|            | 1155401003767 | A         | 851    | 0      | 457                  | 0.9415 | 430                                 | 430                | 421                | 0              |
|            | 1155409003765 | A         | 600    | 0      | 0                    | 1      | 0                                   | 0                  | 600                | 0              |
| 10/2023    | 1155401003766 | A         | 210    | 667    | 667                  | 1      | 667                                 | 210                | 0                  | 457            |
|            | 1155401003767 | A         | 689    | 0      | 457                  | 0.9415 | 430                                 | 430                | 259                | 0              |
|            | 1155409003765 | A         | 60     | 0      | 0                    | 1      | 0                                   | 0                  | 60                 | 0              |
| 11/2023    | 1155403003766 | A         | 210    | 667    | 667                  | 1      | 667                                 | 210                | 0                  | 457            |
|            | 1155401003767 | A         | 480    | 0      | 457                  | 0.9415 | 430                                 | 430                | 50                 | 0              |
|            | 1155409003765 | A         | 577    | 0      | 0                    | 1      | 0                                   | 0                  | 577                | 0              |
| 12/2023    | 1155403003766 | A         | 254    | 752    | 752                  | 1      | 752                                 | 254                | 0                  | 498            |
|            | 1155401003767 | A         | 816    | 0      | 498                  | 0.9454 | 471                                 | 471                | 345                |                |
|            | 1155409003765 | A         | 698    | 0      | 0                    | 1      | 0                                   | 0                  | 698                | 0              |

| <b><u>(Revised) Bill Calculation – Consumer Number : 1155403003766</u></b> |                    |              |               |                 |                     |                        |        |                |                   |             |                           |
|--|--------------------|--------------|---------------|-----------------|---------------------|------------------------|--------|----------------|-------------------|-------------|---------------------------|
| Bill month   | Billed Consumption | Fixed Charge | Energy charge | Wheeling charge | Wheeling charge GST | Generation Duty        | Merent | Meter rent GST | Total bill amount | Less paid   | Balance amount to be paid |
| 09/2023  | 0                  | 1700         | 0             | 278.77          | 50.18               | 16.6                   | 0      | 0              | 2046              | 0           | 2046                      |
| 10/2023  | 0                  | 1700         | 0             | 278.77          | 50.18               | 16.63                  | 0      | 0              | 2046              | 0           | 2046                      |
| 11/2023  | 0                  | 1700         | 0             | 278.77          | 50.18               | 4.78                   | 0      | 0              | 2034              | 0           | 2034                      |
| 12/2023  | 0                  | 1800         | 0             | 308.76          | 55.58               | 15.01                  | 35     | 6.3            | 2221              | 0           | 2221                      |
| <b>TOTAL</b>   |                    |              |               |                 |                     |                        |        |                | <b>8346</b>       | <b>0</b>    | <b>8346</b>               |
| <b><u>(Revised) Bill Calculation – Consumer Number : 1155401003767</u></b> |                    |              |               |                 |                     |                        |        |                |                   |             |                           |
| Bill month   | Billed Consumption | Fixed Charge | Energy charge | Duty            | Fuel Surcharge      | Monthly Fuel Surcharge | Merent | Meter rent GST | Total bill amount | Less paid   | Balance amount to be paid |
| 09/2023  | 421                | 225          | 3199.35       | 319.96          | 37.89               | 42.1                   | 15     | 2.7            | 3842              | 8366        | -4524                     |
| 10/2023  | 259                | 225          | 1605.51       | 160.58          | 23.31               | 25.9                   | 15     | 2.7            | 2058              |             | 2058                      |
| 11/2023  | 50                 | 200          | 157.7         | 15.77           | 4.5                 | 5                      | 15     | 2.7            | 401               |             | 400.67                    |
| 12/2023  | 345                | 260          | 2502.45       | 250.26          | 31.07               | 34.52                  | 15     | 2.7            | 3096              |             | 3096                      |
| <b>TOTAL</b>   |                    |              |               |                 |                     |                        |        |                | <b>9397</b>       | <b>8366</b> | <b>1031</b>               |

| <b>(Revised) Bill Calculation – Consumer Number : 1155409003765</b> |                    |              |               |        |                |                        |            |                |                   |             |                           |
|---|--------------------|--------------|---------------|--------|----------------|------------------------|------------|----------------|-------------------|-------------|---------------------------|
| Bill month  | Billed Consumption | Fixed Charge | Energy charge | Duty   | Fuel Surcharge | Monthly Fuel Surcharge | Meter rent | Meter rent GST | Total bill amount | Less paid   | Balance amount to be paid |
| 09/2023   | 600                | 80           | 5639.92       | 564    | 54             | 60                     | 6          | 1.08           | 6405              | 6405        | 0                         |
| 10/2023   | 60                 | 80           | 363.22        | 36.3   | 5.4            | 6                      | 6          | 1.08           | 498               |             | 498                       |
| 11/2023   | 577                | 80           | 5423.91       | 542.38 | 51.93          | 57.7                   | 6          | 1.08           | 6163              |             | 6163                      |
| 12/2023   | 698                | 90           | 6561.18       | 656.12 | 62.82          | 69.8                   | 6          | 1.08           | 7447              |             | 7447                      |
| <b>TOTAL</b>  |                    |              |               |        |                |                        |            |                | <b>20513</b>      | <b>6405</b> | <b>14108</b>              |

This Forum observes that the respondent has acted in accordance with the aforementioned Regulation 125 (1) of the Kerala Electricity Supply Code, 2014, and has adjusted the bills accordingly. Regarding the discrepancy noted by the petitioner at the website of the licensee, where the same disputed amount (exorbitant bill amount) appeared in the electricity bill for January 2023, even though the dispute arose in September 2023, the respondent informed that it might be a software issue. The respondent confirmed that there are no other pending arrears in the petitioner's account, apart from those mentioned in the present revised bill. This Forum emphasizes that if such discrepancies, as mentioned by the petitioner, exist in the software, the licensee needs to take urgent corrective action to provide accurate information to consumers through online services. This Forum also finds that as per the Provision of Regulation 115 (4) of Kerala Electricity Supply Code, 2014, it is adequate to refund the meter testing fee collected from the petitioner towards consumer number 3766, as the meter was found faulty, of which the reason for the fault is attributable to the licensee. The Provision of Regulation 115 (4) of Kerala Electricity Supply Code, 2014 is stated below:-

**Regulation 115:- Procedure for testing of meter:-**

*Provided that if the meter is found to be recording incorrectly or defective or damaged due to technical reasons such as voltage fluctuation or transients, attributable to the licensee, the testing fee shall be refunded to the consumer by the licensee by adjustment in the subsequent bill.*

**DECISION:**

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

- 1) The petitioner is liable to pay only the revised amount.**
- 2) If the arrear amounts in the present month are also reflected in the electricity bills of previous months available on the website of the licensee, the licensee needs to take urgent corrective steps in this regard to ensure providing accurate information to the consumers through online services.**
- 3) As per the Provision of Regulation 115 (4) of Kerala Electricity Supply Code, 2014, the meter testing fee collected from the petitioner on consumer number 3766 need to be refunded by the licensee, as the meter was found faulty.**
- 4) 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 13<sup>th</sup> day of December 2023**

Sd/-  
Biju Varghese  
3<sup>rd</sup> Member  
CGRF, Ernakulam

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

Endt. On CGRF-CR/OP No.54/2023-24 Dated

Delivered to

Sri.Radhakrishnan. T.N,  
Chartered Accountant,  
39/2825, Ram Complex,  
K.S.N. Menon Road,  
Ernakulam, Pin – 682 016

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, Ernakulam  
(2) The Executive Engineer, Electrical Division, KSEBL, Ernakulam  
(3) The Assistant Executive Engineer, Electrical Sub Division,  
KSEBL, College, Ernakulam  
(4) The Assistant Engineer, Electrical Section, College, Ernakulam