

**CONSUMER GRIEVANCE REDRESSAL FORUM
KERALA STATE ELECTRICITY BOARD LTD- SOUTHERN REGION
VYDYUTHI BHAVANAM, KOTTARAKKARA**

Present: 1. Smt.Laila.N.G,Deputy Chief Engineer, Chairperson
2. Sri. Sanjeev Koshy,Executive Engineer, Member II
3. Sri.C.K.Harikumar,Advocate,Member III

Thursday 29th February,2024

OP No.67/2023

Between

Petitioner: Sri.Dr.Yuhanon Mar, Thevodorus,
Metropolitan,
Malankara Orthodox Cyrian Church, Kottarakkara.

And

Respondents: (1) The Assistant Executive Engineer,
Electrical Sub Division, Kottarakkara.

(2) The Assistant Engineer, Electrical Section, Kottarakkara
(East).

ORDER

1. Grievance of the petitioner

The petitioner is a consumer with consumer No.1146835013011 under Electrical Section Kottarakkara East. The complaint is related to the demand raised by the licensee after the APTS inspection on 13/07/2023. A notice received from the Assistant Engineer, Electrical Section Kottarakkara East, stating that they have found certain anomalies in the premises and the energy meter has been faulty from 01/2023 to 07/2023 & a notice issued on 20/07/2023 and the energy meter showed a deficit by 85.86% due to voltage polarity reversal detected through URJA DLMS software. A short assessment bill for Rs.4,60,464/- for the period from January 2023 to July 2023 also received from the licensee. The energy meter attached in the premise is regularly unsealed by the KSEB officials while taking the monthly readings. Any intimation related to defect of energy meter were not received before 20/07/2023. Therefore the demand raised by the KSEBL is absolutely unjustified and to be set aside.

2. Version of the respondent

The Service Connection bearing consumer No. 1146835013011 registered in the name of the petitioner the premises is occupied by and functioning as a big furniture mall in the name and style "Dimos Furniture." The energy meter display shows voltage R phase - 235 volts, Y phase -246 volts and B phase-242 volts and current R phase - 0.41 ampere Y phase-0.43 ampere and B phase-0.33 ampere .

While examining the connections of Current Transformer (CT) Connected to the energy meter , a big mistake was found ie, 3 phases were wrongly connected. That is a voltage' polarity reversal' has happened in the said premises . By using the URJA DLMS Software of the Genus company the meter, consumption details were downloaded and which shows that only 14.44% of the total consumption was recorded in the display due to the above voltage polarity reversal . W- Register test was also used with 'Zera' meter . For the period from 14/01/2023 to the date of inspection ie; 13/07/2023 85.56% of consumption as not recorded in the energy meter due to the wrong connection of CT . The above facts were informed to the Manager of the shop Sri. Muhammed Shafi who was present at the time of inspection and he signed in the Site mahazar. A copy of the mahazar had been issued to Sri.Muhammed Shafi .

For realisation of the 'escaped assessment for the period from 19/01/2023 to 13/07/2023 , a short assessment bill for Rs.4,60,464/- has been issued to the consumer with a letter explaining the facts involved in the inspection.

In the complaints raised against the issuance of the bill, the officials including the Assistant Engineer under Electrical Section Kottarakkara (East) explaining the facts behind the matter with supporting documents .As per clause 134 of the Kerala Electricity Supply Code 2014, the licensee has every right to realise the amount due to under charged billing.

The allegation that while taking meter reading every month the energy meter is regularly unsealed by the official of KSEB is false and which shows the poor technical knowledge of the petitioner about the meter reading process of KSEB. Ltd and has strongly suspected some person wilfully interfere for reversing the CT within the meter which creates the above situation . The allegations against this are false and denied . No negligence or wilfull act from the part of KSEB officials were happend in this case. By making unlawful gain in the head of Electricity bill, the complainant or his tenants wilfully creates this situation .

The consumption pattern from 07/2022 to 10/2023 is follows

Consumer Number : 1146835013011

Bill month	Consumption
8/2022	3396
9/2022	3584
10/2022	3600
11/2022	3596
12/2022	3144
1/2023	3724
2/2023	2100
3/2023	1400
4/2023	1460

5/2023	1148
6/2023	1300
07/01/23	1032
8/2023	2960
9/2023	5400
10/2023	4240
11/2023	4040

The above consumption clearly indicates the things happened during the voltage polarity reversal period which was scientifically proved by the APTS wing of KSEB by using ultra modern machineries by downloading the consumption details in the energy meter installed in the premises . The complainant is vicariously liable for the payment of bill issued by KSEBLtd . The complainant came before this Hon'ble Forum with unclean hands and also suppressing material facts of the case .

3. Analysis and Findings

The hearing of the case was conducted on 12.12.2023. Both the petitioner and respondent were present and heard the matter in detail. On going through the petition and other documents in the file, arguments filed by the petitioner, the Statement of Facts of the respondent, considering all the facts and circumstances of the case, the Forum came to the following findings and conclusion leading to the decision thereof.

While conducting the inspection by APTS (Anti Power Theft Squad) of the Licensee the issue of the petition arises. After conducting the hearing and verifying the documents it is found that the case is with regard to issuance of a short assessment bill of Rs.4,60,464/- to the petitioner by the licensee. The petitioner contented that the excess demand raised by the licensee is not justifiable and illegal. The petitioner argued that the energy meter in that premises is only under the control of licensee and has no access to the petitioner. Also the petitioner mentioned that the licensee has not informed and defect in the energy meter before the inspection & therefore the excess demand raised by the licensee is not sustainable and to be quashed.

The respondent argued that the contentions raised by the petitioner is baseless.

For realisation of the 'escaped assessment for the period from 14/01/2023 to 13/07/2023 , a short assessment bill for Rs.4,60,464/- has been issued to the consumer with a letter explaining the facts involved in the inspection.

In the complaints raised against the issuance of the bill , the officials including Assistant Engineer under Electrical Section Kottarakkara (East) explaining the facts behind the matter with supporting documents .As per clause 134 of the

Kerala Electricity Supply Code 2014 the licensee has every right to realise the amount due to under charged billing.

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The above consumption clearly indicates the things happend during the voltage polarity reversal period which was scientifically proved by the APTS wing of KSEB by using ultra modern machineries by downloading the consumption details in the energy meter installed in the premises .

After hearing and analysis the Forum came to a conclusion that the consumption pattern shows some irregularities for the period from 01/2023 to 07/2023. The consumption pattern clearly indicates the inference that a dip in unit is due to the reversal of polarity of the CT connection and that also supporting the arguments of the respondent and which also reflected in the downloaded data. As per regulation 134 of the Kerala Electricity supply code 2014.

134. Under charged bills and over charged bills.- (1) If the licensee establishes either by review or otherwise, that it has undercharged the consumer, the licensee may recover the amount so undercharged from the consumer by issuing a bill and in such cases at least thirty days shall be given to the consumer for making payment of the bill.

4. Decision

Considering the above facts and circumstances of the case the Forum ordered as follows. .

- (1) The short assessment period recalculated and to be clarified to the consumer. Suitable instalments shall also be sanctioned by the licensee if the petitioner desires.
- (2) No order as to cost.

If the petitioner is not satisfied with the above order of this Forum, he 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.

'The State Electricity Ombudsman, D.H & Foreshore Road Junction, Near Gandhi Square, Ernakulam, Kerala - 682 016. Phone: 0484 2346488'.

Sd/-
C .K.HARIKUMAR
ADVOCATE
MEMBER III

Sd/-
SANJEEV KOSHY
EXECUTIVE ENGINEER
MEMBER II

Sd/-
LAILA.N.G
DEPUTY CHIEF ENGINEER
CHAIRPERSON

Forwarded

Sd/-

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.67/2023/64

Dated :05/03/2024

Delivered to: 1. Sri.Dr. Yuhanon Mar, Thevodus, Metropolitan,
Malankara Orthodox Cyrian Church, Kottarakkara.
2. The Assistant Executive Engineer, Electrical Sub Division,
Kottarakkara.
3. The Assistant Engineer, Electrical Section, Kottarakkara (East).

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam,
Thiruvananthapuram.
2. The Deputy Chief Engineer, Electrical Circle, Kottarakkara.
3. The Executive Engineer, Electrical Division, Kottarakkara.