

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) Smt. Mini Francis
 (3) Sri. Jefrin Manuel

Chairperson
2nd Member
3rd Member

Petitioner

Sri. Mujeeb Rahman.A,
 Rafeek Manzil,
 Naduvath Nagar P.O.,
 Vaduthala, Arookutty,
 Alappuzha Dist.,
 Pin – 688 526

Respondent

- 1) The Assistant Executive Engineer,
 Kerala State Electricity Board Ltd,
 Electrical Sub Division,
 Poochakkal
- 2) The Assistant Engineer,
 Kerala State Electricity Board Ltd,
 Electrical Section, KSEBL,
 Arookutty

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No.CGRF-CR/OP No.01/2023-24

Date: 16/05/2023

ORDER

Background of the case:

The petitioner, Shri. Mujeeb Rahman, Rafeeq Manzil, Vaduthala, arookutty is a LTIVA consumer under Electrical Section, Arookutty. On 21/11/2022 Assistant Engineer, Electrical Section, Arookutty served a demand notice for Rs. 74,290/- as short assessment in accordance with the audit report of Regional Audit Office, Alappuzha. So the petitioner approached the Forum and requested to cancel the bill unfairly issued by KSEBL.

Version of the Petitioner:-

The petitioner stated that the electricity charges demanded by the licensee were paid by him till date without any delay. But it was directed by the licensee to pay Rs.74,290/- as current charge arrear vide letter dated 21/11/2022. The petitioner further stated that in the light of the CGRF order dated 29/07/2015 and also judgments of Hon'ble High Court dated 26/06/2016 and 16/10/2018, the petitioner was approached the Assistant Engineer, Electrical Section Arookutty many times to grant additional load. But no action has been taken by the licensee on these occasions.

The petitioner further reported that the 100 kVA transformer was enhanced by 160 kVA by the licensee as per the direction of Hon'ble High Court dated 18/11/2020, for giving petition to Kerala State Electricity Regulatory Commission (KSERC) and also the connected load was enhanced to 88kW by the licensee from the monthly bill 3/2020 onwards. But, either the licensee did not give any instructions for connection with the enhancement of his connected load nor the petitioner has not submitted any documents for the same. Therefore, no agreement was made or any steps were followed as per the Regulation 99 of the Kerala Electricity Code 2014 for increasing the connected load. Further, the petitioner gave application to enhance the connected load to 192.63kW as per the final order of KSERC dated 25/02/2021. On 07/05/2021 an agreement was submitted to KSEB as directed by the Assistant Engineer and new CT was tested and installed for metering purpose. Hence the penal amount is payable.

So the petitioner approached the Forum and requested to cancel the additional bill unfairly issued by the authorities in KSEB.

Subsequently, statement of facts was called for and the same was submitted by the respondent on 26-04-2023.

Version of the Respondent:-

The respondent reported that the connected load of the petitioner was 63.05kW. A penal bill for an amount of Rs.74,290/- was served to the petitioner as per the audit report of the Regional Audit Office(RAO), Alappuzha for the reason that the contract demand of 50 kVA was not increased when the connected load was increased on 01.02.2020 from 63.05kW to 88 kW. It was also reported by the respondent that since the contract demand of the petitioner has exceeded 3 times after increasing the connected load, a notice was served to the petitioner for enhancing the contract demand and accordingly the contract demand and the connected load was enhanced to 99 kVA and to 193kW respectively. As the amount in proportionate to the excess demand was already automatically penalized from the petitioner in the respective monthly electricity bills, a report was submitted to Regional Audit Office, Alappuzha asking to withdraw the amount. It is also informed that further steps will be taken after receiving decision from the RAO office.

Analysis and findings:

Hearing was conducted on 08.05.2023 in the chamber of the Chairperson, Consumer Grievance Redressal Forum, Ernakulam. 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.

During the course of hearing the respondent reported that even though the penal bill amounting to Rs. 74,290/- was served to the petitioner as per the audit report of the Regional Audit Office of the licensee, it was understood after analyzing the report in detail that, the said demand is not payable by the petitioner.

DECISION:

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

1. The petitioner is not liable to pay the penal bill dated amounting to Rs. 74,290/- since the respondent reported before 21.11.2022 this Forum that the amount is not payable by the petitioner.
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 16th day of May 2023

Sd/-

Sri Jefrin Manuel
3rd Member
CGRF, Ernakulam

Sd/-

Mini Francis
2nd Member
CGRF, Ekm

Sd/-

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

Endt. On CGRF-CR/OP No.01/2023-24 Dated
Delivered to

Sri. Mujeeb Rahman.A,
Rafeek Manzil,
Naduvath Nagar P.O.,
Vaduthala,
Arookutty, Alappuzha Dist.,
Pin – 688 526

Sd/-
CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to: 1)The Secretary, KSEBL, VydyuthiBhavanam, 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,
Cherthala
(3) The Assistant Executive Engineer, Electrical Sub Division KSEBL,
Poochakkal
(4) The Assistant Engineer, Electrical Section, Arookutty