

Consumer Grievance Redressal Forum  
Kerala State Electricity Board - Southern Region,  
Vydyuthi Bhavanam, Kottarakkara

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No: CGRF/KTR/OP.No.722/2012/ 1251

Date: 4 .5.2012.

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From

To Chairperson  
The Assistant Executive Engineer,  
Electrical Sub Division,  
K.S.E Board,  
Kesavadasapuram.

Sub: - Releasing of order of disposal of OP.No.722/2012.

Ref: - B.O (FB) No.585/2006 (LA.II/1173/2006) dated 25.2.2006.

Sir,

Enclosed the order of disposal of petition filed by Sri. M. Sivaswamy in O.P.No.722/12 for further action.

Yours faithfully,

CHAIRPERSON  
DEPUTY CHIEF ENGINEER  
CGRF (SOUTH)

Copy to:-

1. Sri. M. Sivaswamy, 'Sree Lakshmi Nivas', Gowreesapattom, GRA 233/TC2/1543, Thiruvananthapuram.
2. The Deputy Chief Engineer, Electrical Circle, Thiruvananthapuram.
3. The Executive Engineer, Electrical Division, Kazhakkuttom.

**CONSUMER GRIEVANCE REDRESSAL FORUM (SOUTH),  
KOTTARAKKARA**

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Present: 1. Sri.R.Suku, Chairperson, Deputy Chief Engineer  
2. Smt. Beena Pious, Executive Engineer  
3. Sri.N.Sasidharan Unnithan, Member

Thursday the 19<sup>th</sup> day of April 2012

**OP No.722/2012**

Between

Petitioner: Sri. M. Sivaswamy,  
'Sree Lakshmi Nivas',  
Gowreesapattom,  
GRA 233/TC2/1543,  
Thiruvananthapuram.

And

Respondent: The Assistant Executive Engineer,  
Electrical Sub Division,  
Kesavadasapuram.

**Grievance of the Petitioner**

The petitioner is a consumer under Electrical Section, Kesavadasapuram with Consumer No.4187. He is aggrieved with the short assessment bill for Rs.14,744/- issued from the Section office. The short assessment bill issued on 15/10/2011, was for the meter faulty period from 11/2007 to 3/2009. The petitioner has been paying the bills regularly and has not intimated about the fault of the meter till 15/10/2011. In addition to that he was out of station for 6 months from 30/6/2008 to 22/12/2008. The above details were intimated to Assistant Executive Engineer and filed a complaint for waiving the bill, but they have only revised the bill from Rs.14,744/- to Rs.7537/-. The short assessment was not due to the fault of

the petitioner, and hence it is requested to cancel the additional bill for Rs.7537/-

**Version of the Opposite party**

The petitioner with Consumer No.4187, under Electrical Section, Kesavadasapuram is a domestic consumer and the energy meter became faulty during 11/2007, and the fact is well established from the respective meter reading. The consumption pattern is shown hereunder:-

Sl. No.	Month	IR	FR	Actual consumption	Billed consumption	Status of meter
1	5/2006	15984	364	364	500	Working
2	7/2006	364	990	626	626	Working
3	9/2006	990	1654	664	664	Working
4	11/2006	1654	2215	561	561	Working
5	1/2007	2215	2992	777	777	Working
6	3/2007	2992	3593	601	601	Working
7	5/2007	3593	4258	665	665	Working
8	7/2007	4258	4879	621	621	Working
9	9/2007	4879	5503	624	624	Working
10	11/2007	5503	5766	263	263	Working
11	1/2008	5766	5787	2	486	SF
12	3/2008	5787	5788	1	486	SF
13	5/2008	5788	5788	0	0	SF
14	7/2008	5788	5788	0	244	SF
15	9/2008	5788		0	244	DL
16	11/2008	5788	5788	0	288	SF
17	1/2009	5788	5788	0	288	SF
18	3/2009	5788	5788	0	288	SF
19	4/2008	Meter changed				

20	5/2009	0	421	536	536	Working
21	7/2009	421	1066	645	645	Working
22	9/2009	1066	1785	719	719	Working
23	11/2009	1785	2201	416	416	Working

As per Section 19(2) and as per Section 24(5) of the Supply Code 2005, a bill based on the previous 6 months average consumption is issued to the petitioner for the faulty meter period from 11/2007 to 3/2009, amounting to Rs.14,744/-. The consumer approached this office with documents in proof of his non-occupancy and considering the genuinty, the bill was revised to Rs.7647/-.

The faulty meter was not replaced within the time frame as recommended in the supply code it may be noted that the timeframe is not a prerequisite or a provision as per the Supply code for making assessment. Also no surcharge has been imposed for the bill amount and also the licensee has agreed to provide installment facility, if so desired by the consumer.

As the bill is in accordance with the existing rules and regulations, the petitioner is bound to remit the amount and hence it is prayed to dismiss the petition.

### **Discussion and Findings**

The dispute of the petitioner is with regard to the short assessment bill dtd.15/10/2011, for Rs.14,744/- for the meter faulty period from 11/2007 to 3/2009. After issuing this bill, upon the complaint of the petitioner, that he was away from his residence and there was no consumption for a period of 6 months. The bill was revised to Rs.7637/- still the complainant is not satisfied and he is pressing for setting aside of the bill.

The opposite party, along with their version, filed the consumption pattern of the petitioner, which shows that the meter was suspected to be faulty from 11/2007 to 3/2009 and the meter was changed in 4/2009. As per the statutory rules, the licensee is bound to supply electricity only through a correct meter and faulty meter has to be replaced within 1 month. In this case, a faulty meter remained there for a pretty long period of 16 months without timely replacement. That means, there occurred an opportunity for the consumer, to consume energy at whatever quantity he required without being measured. We notice serious lapse and negligence on the part of the officials concerned in replacing the faulty meter in time. At the same time, the short assessment based on the previous 6 months average cannot be said to be illegal, especially when, the petitioner has no case that he used only lesser energy than the previous average during the short assessment period. Hence, it is also noteworthy that the opposite party made a downward revision of the demand from Rs.14,744/- to Rs.7637/- giving due regard to the non occupation of the premises for 6 months.

In these circumstances, the revised short assessment bill is only to be upheld.

### **ORDER**

In the result, the petition is dismissed. No order as to cost.

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

*State Electricity Ombudsman, Pallikkavil Buildings, Mamangalam-Anchumana Temple Road, Opp:Kochi Corporation Regional Office, Edappally, Kochi – 682 024, Ph: 0484 -2346488.*

Sd/-  
BEENA PIOUS  
EXECUTIVE ENGINEER,  
MEMBER

Sd/-  
N.SASIDHARAN UNNITHAN  
MEMBER

Sd/-  
R.SUKU  
CHAIRPERSON  
DEPUTY CHIEF ENGINEER

Forwarded

CHAIRPERSON  
(DEPUTY CHIEF ENGINEER)  
CGRF (SOUTH), KOTTARAKKARA.